are under submission by the Municipality.

(*d*) Yes. But it refers to a separate survey number not occupied by the Municipality.

Thimmanakunte in the Agrahara of Chintamani Town

(Use of water)

Q.—674. Sri M. C. ANJANEYA REDDY (Chintamani).—

Will the Government be pleased to state :—

(*a*) the survey number in which Thimmanakunte in the Agrahara of Chintamani Town is situated; the amount spent by the Municipality for the repairs of this kunte ;

(*b*) whether they are aware that the Municipal President is utilising by lift irrigation the water of this *kunte* for irrigating his garden land?

A.—Sri T. CHANNIAH (Minister for Public Health and Local Self-Government).—

(*a*) The kunte is situated in S. No. 223 of Nekkundi Village within the Municipal limits.

A sum of Rs. 240-12-0 has been spent by the Municipality for effecting repairs and removal of silt.

(*b*) No.

PETITION IN RESPECT OF THE MYSORE (RELIGIOUS AND CHARITABLE) INAMS ABOLITION BILL, 1954.

SECRETARY, Mysore Legislature.—Sir, as required by Rule 95 of the Rules of Procedure and Conduct of Business in the Legislative Assembly, I beg to report that a petition has been received by me from the Secretary of His Holiness Sri Chandrasekhara Bharathi Jagadguru Sri Sringeri Shankaracharya Gurumaharajadhiraj Seva Samithi in respect of the Mysore (Religious and Charitable) Inams Abolition Bill, 1954.

Mr. SPEAKER.—As required by Rule 98 of the Rules of Procedure and Conduct of Businesss in the Mysore Legislative Assembly, I refer the petition reported by the Secretary to the Committee on Petitions.

The debate on the Mysore (Personal and Miscellaneous) Inams Abolition Bill will continue now.

Sri H. SIDDAVEERAPPA.—The general discussion on the motion for consideration may continue, Sir.

Mr. SPEAKER.—Yes.

MYSORE (PERSONAL AND MISCELLANEOUS) INAMS ABOLITION BILL, 1953.

Motion to consider (contd).

Sri S. SRINIVASA IYENGAR (T. Narsipur).—I rise to place before this Hon'ble House my observations on this Bill. At the outset, I want to know whether under Rule 56 of the Rules of Procedure, the Law Minister should not also have been a member of the Select Committee. In the report of the Select Committee, I do not find the signature of the Hon'ble Minister for Law. Rule 56 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly says :

> " that the member in charge of the Bill and the Minister for Law shall be members of every Select Committee, and it shall not be necessary to include their names in any motion for appointment of such a Committee."

Mr. SPEAKER.—There is a different rule for Joint Select Committees.

Sri S. SRINIVASA IYENGAR.—In the second place, with the object of the Bill, I entirely agree. The abolition of Inams is also our principle. But in respect of the way in which the problem is approached, I differ. In the first instance, the Bill as placed before this House is not for the simplification of the tenure in the Inam or Jodi or Kayamgutta villages, but is in the shape of compulsory acquisition of property. Now, Sir, as we all want that the present system of Inam villages should be abolished, I submit we should have approached the problem

(SRI S. SRINIVASA IYENGAR.)

in a definite way. Inams are defined by different people at different times. The Gundappa Gowda Committee has also incorporated these definitions. Sri Hayavadana Rao has defined Inam as a grant made by Government to individual or individuals for personal benefits or livelihood and further that such grants are to be enjoyed either by having a full concession of land revenue or part of it. The Land Revenue Code defines Inams as the assignment of the power of the Government to levy and collect land revenue. Further, the Land Revenue Code has also two other definitions, definitions of the superior holder and the inferior holder. In addition to that, we have a definition for 'alienation'. Now Sir, according to the Bill placed before this House as reported by the Select Committee, inam is defined as 'includes the inam villages and the minor inam'. It does not define what exactly is meant by inam. Even the Gundappa Gowda Committee seem to feel that granting of Inams does not confer proprietory rights. They say that the right to alienate or the right to transfer is not transferred by the word inam. It is not so. Under Inam we have different categories. We have one category referring to individuals where Inam means absolute grant by previous Government and confirmed by the issue of titles giving the power of alienation and also to enjoy the concession of land revenue. We have another set of inams wherein individuals or associations have been entrusted with the work of levy and collection of land revenue. That is defined as superior holder. And there is the third, that is, the minor inam foc services to be rendered for specifir purposes. Therefore, I submit, to apply a common law to all the categories is not proper.

Now, the next thing is, what is it that we want? What we want is the guarantee of the three F's to the cultivator. What are those three F's? Fixity of tenure, fair rent and free transfers. That is exactly the three F's that you want to give to a cultivator in an inam village. The Gundappa Gowda Committee Report was submitted in 1950. Since then several things have happened. Out of these three, the first two have already been accomplished by the tenancy law. Fixity of tenure is accomplished by the tenancy law, fair rent is accomplished by the tenancy law and the free transfer has to be conferred on the cultivator of an inam village. The agitation for the abolition of the inam or jahagir or jodi or the kayamgutta villages in the State of Mysore is from the year 1915 and the previous Governments have taken steps to constitute Commissions and committees to remedy any existing difficulties. As a result of the Inam Commission of 1918, the Land Revenue Code has been amended and the most important feature of that amendment in 1918 relates to Section 79 of the Land Revenue Code, 1888, giving wider power to tenants. Section 79 is all-embracing. It has been amended in such a manner as to give the maximum benefit to the tenant. Subsequently, not even four years had lapsed, another agitation started in 1922 which resulted in the constitution of an Inam Committee. They gave further concessions and the most important recommendations of that Committee were incorporated in the Land Revenue Code, 1888, by an amendment in 1939. As a result of this amendment section 87(a) of the Land Revenue Code provides for granting remissions to the tenants of an Inam village subjected to the vagaries of nature.

Now the cry is, including me, that the cultivator in an inam village is not enjoying the same privileges as those in the Government villages; the Government are not giving the benefit to the cultivator in the inam village as they give to those in Government villages; the restoration of tanks is not being attended to in inam villages as they are being done in Government villages. These are the complaints. All these complaints have been met by successive amendments of the Land Revenue Code. The mistake was not

of the inamdar or the tenant but that of the Government. In 1932, the Committee, in unequivocal terms, declared that the survey and settlement should be introduced in all villages irrespective of the village being either inam or otherwise. Under Section 106 of the Land Revenue Code Government have full powers to introduce this. Government passed orders in 1935 accepting the recommendations of the Inam Committee. Even though 20 years have lapsed, they have not looked into the question of survey and settlement in these inam villages. If they had only done that, most of these problems would have vanished by this time. I say this because in every village we have two classes of tenants, one class defined under section 84 as khadim tenant and the other tenant under section 79 as permanent tenant. So, all these tenants would have been recognised in the Survey and Settlement and a further provision for the same in this Bill would have been unnecessary in the Bill are not necessary.

Further, Sir, now, whom does this Bill affect? How far will it be fruitful? I dare say, Sir, the benefits that the Government want to confer are absolutely imaginary. The Government have no data to show how many khadim tenants there are in the 2,098 inam villages in the State. They have no record to show how many permanent tenants there are in these 2,098 inam villages and they do not know how much of the land revenue assessment they are losing. It is mostly a guess work. Why should they have kept quiet for such a long period without even attempting to know how much they are losing ? I can tell you, by the introduction of this Bill the Government want to redistribute about 3·69 lakhs of acres amongst the residents in 2,098 inam villages. In how many holders do the Government know that these 3·69 lakhs of acres which they want to redistribute, lie ? It refers to 35,000 cases as evidenced by the statement furnished by Sri N. S. Subba Rao in his survey as on 1901. According to that statement, it can be seen that these 3·69 lakhs acres refer to nearly 35,000 cases and involves a land revenue assessment of about six or eight lakhs of rupees. That too, in respect of this land revenue assessment, we are asked to base our calculations on the recorded value as settled in 1866 by the Inam Commission. Why is it that we do not know till now how much of land revenue we must get from these so—called inam villages ? Why did you not introduce the survey settlement even though Government had assured that they would introduce it in the year as for back as 1935 ? To-day they say that survey settlement costs them five lakhs of rupees. If they had done it 20 years back it would not have cost them so much. Now, you want to introduce legislation and want us to vote with our eyes shut. We want to see that this pre-historic type, the feudalistic type, of inamdari is abolished. We also want to see that there should be no intermediary to collect the land revenue and give it to Government. I agree with the Government so long as that point is concerned. But what is the method ? The basis should be correct facts but not mere imagination and political strength and......

Sri Kadidal MANJAPPA.—What is the solution ?

Sri S. SRINIVASA IYENGAR.—I will tell you.

Sri H. K. VEERANNA GOWDH (Maddur).—With whom are you finding fault ?

Sri S. SRINIVASA IYENGAR.—With the Government, the Government of Mysore. The Government is continuous. Now Sir, you came in 1947 to power and we are in 1954. For seven long years you have kept quiet. I know that Sri Veerana Gowdh was a member of the Gundappa Gowdh Committee. The recommendations of that Committee have approached the problems no doubt. But how far these recommendations are satisfactory is a different question. Since the Gundappa Gowda Committee recommendation is not on discussion to-day. I have just touched that the problem is not new but is existing for the last 40 years, 30 years at least.

(Sri S. SRINIVASA IYENGAR.)

I was referring to the definition of 'Inam' so far. I repeat that the definition of inamdar or inam in this Bill is not according to law (i) that the inam means not only the assignment of the collection of land revenue but also it includes the grant of land for personal benefits for the purpose of livelihood, (ii) that kadim tenant is well defined in section 84 of the Land Revenue Code, (iii) that permanent tenant is properly and well defined and has stood the test of time under section 79 of the Land Revenue Code and therefore no further definitions of any of these items are called for.

The next question is the existence of the definition of khas land, quasi-permanent tenant in the previous Inam Bill and the vanishing of the two categories as a result of the Select Committee Report. The new Bill contains on addition to the definition of 'permanent tenant' intended to cover the two classes and reads as of "a person either by himself or by hired labour or with hired stock, etc." I am afraid it does not, because 'khas land' has been definitely mentioned in the accounts of every village. . .

Sri Kadidal MANJAPPA.—You agree with the original Bill.

Sri S. SRINIVASA IYENGAR.—I agree with you to abolish the inam. We are one with you to see that these feudalistic types of inams go. How they should go is a different question. That is where I differ. So far as khas land is concerned, I am sure khas land has been mentioned in the accounts of every village. It is the property of the inamdar. Under article 19 of the Constitution of India, every citizen has the right to hold property, to acquire property or to sell it and no law can defeat that article of the Constitution of India. But, if this definition of 'permanent tenant' is accepted, he will be completely deprived of the holding, even a single gunta of land, because if he is to be registered as a permanent tenant, as an occupant of land, he must satisfy the condition that he is cultivating the land either by himself or by hired labour or with hired stock. Many Inamdars or as a matter of fact landlords do not satisfy that condition, because the system is to lease these lands on permanent tenures or fixed tenures for a fixed period commonly known as *wara* or *guttige*. That definition does not contain the words "either by himself or by *wara*." If it did contain these words, then the question of retention of so much of land as is in the possession of the inamdar meant for the purpose of his livelihood would have been assured. But in the original Bill there is a definite clause to give a particular limit of acreage to the inamdar. In the amended Bill, that has been taken away. So what we are attempting to do is to make a landlord of to-day landless of tomorrow and to create a tenant of to-day a landlord of tomorrow. Is that the intention? I am glad it is not so. What we want to achieve is an equitable distribution of land amongst the cultivators in inam villages and to secure them the proper privilege, the same rights as are enjoyed in Government villages. I will put you one question. In a Government village if a holder has one thousand acres and they are given to tenants, are these tenants given the ownership of lands? If not, then why do you want to introduce this discrimination?

Sri Kadidal MANJAPPA.—That will be the next Bill.

Sri S. SRINIVASA IYENGAR.—Quite right. So I said, I agree with you when you say, that limitation of holdings is to be introduced. To start with, let not anybody enjoy a concession in preference to any other citizen. Now, such of those lands as are in possession of Jodidars, lands which are in the possession of jodidars lands in the possession of kayamguttadars and minor inam holders are allowed to be owned free of land revenue or assessed partly it. Let this first end. Subsequently every one whether he is a resident of an inam village or any Government village will be put on the same par and you apply the limitation of holdings to every one; every one of them will be subjected to the limitation of holdings and equitable distribution of land amongst the people

of the State can really be accomplished. I therefore think this hotch-potch arrangement of having compulsory acquisition of land and abolition of the concession included in a Bill is not wise. That is what I say. Supposing in spite of what we represent before the Government, the Government backed by the dictatorship of the dominant party, forced this Bill on us in the nature of law, I have to offer some observations and point out some provisions which are most harsh.

For example, the section on page 4 of the Inams Abolition Bill as amended by the Joint Select Committee reads as follows:

> "No such inam shall be liable to attachment or sale in execution of any decree or other process of any court and any attachment existing on the date of vesting or any order for attachment passed before such date in respect of such inam shall, subject to the provisions of Section 73 of the Transfer of Property Act, 1882, cease to be in force."

Now I will illustrate with examples. Suppose an Inamdar has become a debtor and the creditor having filed a suit and obtained a decree in a Court of law against the Inamdar if this Bill comes into law tomorrow, then he cannot execute his decree on the inam village because it vests in Government and that decree is to be executed on the person of the Inamdar or, as subsequently provided in the same Act, on the compensation amount payable to the Inamdar. That means by abolishing the inam, you have deprived the Inamdar of his livelihood. You have said that you will see that the Inamdar is not deprived of his livelihood by giving him compensation, but the compensation amount will be attached by that creditor. That is very harsh because if the inam was allowed to remain with the inamdar, by virtue of the rights he has, he would get every year rent with which he would have been n ia position to discharge the debt in course of time. Now he is not given the opportunity of discharging the debt. What you intend doing is to treat him as an insolvent, take possession of all his property, discharge all his debts and give whatever is left over to him. That is exactly what is proposed in the Bill. I am not sorry for it; nor do I advocate on behalf of those people. But what I say is, when a law is made, it must be just and fair to every one. In fact, while the Gundappa Gowda Committee was constituted and they issued a questionnaire, more than half the replies received were against taking over inam villages before paying compensation and even in the Committee Report it is stated that the Committee do appreciate the problem and they have said that if the compensation to be paid to the inamdar is less than Rs. 5,000, in such a case it should be paid in one lumpsum. But what is it that this Bill says? It says that it can be paid in 12 years. Even though the compensation amount is less than Rs. 5,000, the Government have a right to say that the compensation will be paid within 12 years either in a lumpsum......

Sri Kadidal MANJAPPA.—Where is provision for interim payment?

Sri S. SRINIVASA IYENGAR.—Interim payment is only one-tenth. When we want to make law, it must be fair and equitable, and you should, while making law, base your judgment on statistics. The Government have no proper statistics. Even with regard to the number of inam villages, they are only dependant on the 1866 Inam Settlement.

1-30 P.M.

The Government have not attempted to know exactly how many inam villages there are. That is a different thing. So far as the tenant is concerned, I will show you how the provision, by which the Inamdar has to collect his arrears of land revenue that was due to him prior to the date of vesting works hard on the tenant. You have said that the Inamdar can collect these arrears in the same manner as if this Bill had not been introduced. Suppose I am an Inamdar. Under Section 99, I have the powers of attachment. So, I can go and

(SRI S. SRINIVASA IYENGAR)

harass him. Every cultivator in an inam village is a defaulter. I do not think there is any village wherein the tenant has paid to the inamdar regularly. There are defaulters withholding payment for a period of 4 to 5 years and continue to be defaulters till the date of limitation. Equally, there are inamdars who have refused to receive payment from the tenant particularly with a view to cause harassment. I am not saying inamdars are all good. I am myself subjected to such a thing by an inamdar in a particular taluk wherein in spite of my approaches several times, he has refused to take the land revenue. So, what will be the position of this move? You are authorising the Inamdar to approach a civil court for the collection of arrears of land revenue even though the inam village is taken over. So, the cultivator is not safe. Every one of them will be drawn to the civil court and what you will be doing is to create a commotion and make everybody go to a civil court.

Sri Kadidal MANJAPPA.—Is it not undertaking liability of discharging the debt of the cultivator?

Sri S. SRINIVASA IYENGAR.—At the same time you are here to safeguard the interests of the cultivator and the responsibility of safeguarding the interest of the cultivator is yours and mine.

Sri H. K. VEERANNA GOWDH.—What was suggested in the Report?

Sri S. SRINIVASA IYENGAR.—It was suggested to the Gundappa Gowda Committee by the inamdars and by some other people that such arrears of land revenue should be collected and handed over to the Inamdar. The Committee has said that it is difficult because there is so much of division among the inamdars and that there will be so many parties; huge records have to be built up and a big office has to be maintained to apportion this revenue. So, they said, it is not practicable. That is why I feel that it is up to us to think of all these problems that may arise in future and to see how best we can safeguard the interests of the tenants and not blindly say pass this Bill. The Select Committee has made so many changes and all of them can never be accepted as such and therefore the Bill has to be re-circulated. While you re-circulate you have enough time to analyse these things section by section and legislate...

Sri Kadidal MANJAPPA.—So that another Bill may be introduced in the next Assembly after 1957!

Sri S. SRINIVASA IYENGAR.—As far as the time-limit of re-circulation is concerned, I do not think by re-circulation it is meant several years. It may be one month. Nowhere it is said that by re-circulation we mean several years.

Sri A. BHEEMAPPA NAIK.—Has it been materially altered?

Sri S. SRINIVASA IYENGAR.—Yes.

Sri A. BHEEMAPPA NAIK.—Can you point out some material alterations?

Sri S. SRINIVASA IYENGAR.—I have spoken for half an hour mentioning material alterations and I am stating further also. Before I come to the question of compensation, I would like to point out another lacuna in Section 12, page 8. That para reads thus:

> "12. *Right to agricultural land used for non-agricultural purposes.*—Where any land used for agricultural purposes has been converted for any purpose unconnected with agriculture, the holder of such land shall be entitled to keep the land provided that such conversion was not void or illegal under any law in force at the time."

Now, I want to know which cultivator of an inam village has ever approached any officer to construct a shed in his own land? Can any member here enlighten me with a case where a cultivator of any land in an inam village having approached Deputy Commissioner for permission to construct a house in his land as required under Sections 63 and 64 of the Land Revenue Code or under Section 138 of the Land Revenue Code? Inam village means freedom. Anybody

could put up a building anywhere in his own land; he has enjoyed that freedom for the last hundreds of years. Immediately it becomes a Government village, you will have power to penalise him because that Act has been done illegally. You will hold that act of putting up a building in the land as illegal and this Section gives you power to take action against him. Why should you make a provision of such a nature as to give room for such interpretation? I know you don't mean all that. But anyhow, the section reads like that.

Sri A. BHEEMAPPA NAIK.—It is in connection with agriculture and that applies to farmhouse.

Sri S. SRINIVASA IYENGAR.—Apart from farmhouse, there are certain survey numbers bought by people and regular rows of buildings have been constructed with the permission of the Inamdar.

Sri A. BHEEMAPPA NAIK.—With the permission of authorities it is legal.

Sri S. SRINIVASA IYENGAR.—With the permission of the authorities, it is legal. But there are certain places where it is done with the permission of inamdars. Let us not think that the villages which you only know are the only inam villages. There are 2,098 inam villages. In how many villages survey and settlement have been introduced? Only in 700 inam villages, survey has been introduced; in the remaining 1,400 inam villages it has yet to be done. Therefore, the problem is a very big one. We are treading on grounds not known to us. You should give us facts and figures to enable us to come to a decision. So far as compensation is concerned, the Bill that is before us is very strange so far as that section is concerned. The Gundappa Gowda Committee after having heard so many responsible people and after having compiled answers furnished to questionnaires—a massive work, work of big magnitude,—summarised that while fixing compensation, the gross assessment of the entire village has to be taken into consideration and on the deduction side, the jodi or other expenditure for the village officer should be deducted. For the determination of the basic value, this forms one of the three items. The three items that the Gundappa Gowda Committee recommended were the loss of income, the purchase value of the property and thirdly the loss of income on account of the transference of the assessed and unassessed waste. But what has the Select Committee done? In sub-clause 1 of clause 16, the Select Committee has said:

> "a sum equal to 20 times the amount of rent derived by the Inamdar concerned from kadim tenants, entitled to be registered under Section 4".

So, in a village there are kadim tenants, there are permanent tenants as defined under section 79, there are tenants cultivating khas lands, there are waste lands; all these lands are assessed; recorded values of Inam villages are noted in the inam settlement of 1881. The total of the land revenue assessment is known. The Gundappa Gowda Committee observed that such assessment would increase by 150 per cent after survey and settlement. So, instead of taking that value, the Select Committee says that only the payment of rent either in cash or in kind by the kadim tenant should be taken for the purpose of determining the compensation. That means, payment by the permanent tenant and the assessment of the waste lands and the entire recorded value are ignored. How can it be fair? I am not advocating the cause of the jodidar. In the previous session I have already said, I will be the first to offer my jodi. That is a different matter.

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಎಷ್ಟು ಇದೆ?

ಶ್ರೀ ಎಸ್. ಶ್ರೀನಿವಾಸ ಐಯ್ಯಂಗಾರ್.—ಬಹಳ ಚಿಕ್ಕದು. 500 ರೂಪಾಯಿ ಉಳಿಯುತ್ತದೆ. So, let me not be mistaken that I am advocating the cause of any particular individual. We are making the law applicable to everybody. Everybody is equal in the eyes of the law. Everybody has to receive justice at the hands of this House. In the light of the above facts, the provision for compesation is unfair.

(SRI S. SRINIVASA IYENGAR.)

Further, Sir, about the payment of compensation, I have already observed, the Gundappa Gowda Committee's recommendation may be accepted. The Government have suggested a low rate of interest of $2\frac{3}{4}$ per cent for the compensation amount, while they them selves borrow at 4 per cent. The Bill is materially altered and therefore there is no justification to consider the Bill without recirculation.

And, lastly, I submit Sir, that in the first instance let us straightaway abolish all the concessions. Let there be no superior holder and inferior holder.

Sri Kadidal MANJAPPA.—Simply convert it into raiyatwari and then levy the assessment in full. That is what you say ?

Sri S. SRINIVASA IYENGAR.—That is the first stage. In the second stage, limitation of holdings. During this session alone, in this same session, you please introduce legislation for limitation of holdings. I would be one with you. Otherwise, if the present Bill is passed into law with the definition of permanent tenant as it is, do you know what you will be doing ? I will give you an illustration. I am now living in Bangalore. I own an inam village in a particular taluk. My khas lands are given to tenant through an agent. That agent delivers me the gutta every year in Bangalore. That agent has sublet it. Those persons that have taken the land for cultivation from that agent have executed the deeds to the agent of mine and the agent has executed the deed in my favour. This agent, according to the definition of 'permanent tenant' has to be registered as a permanent tenant. What you will be doing is, cancel my name and enter that of my agent.

Sri Kadidal MANJAPPA.—Not that of the agent but of the actual cultivator.

Sri S. SRINIVASA IYENGAR.—Please read the definition. It says 'a person cultivating the land either by himself or by hired labour or by hired stock...'; that is the definition.

Sri Kadidal MANJAPPA.—You have not correctly understood it.

Sri S. SRINIVASA IYENGAR.—Please refer to page 3 item (12):

> 'permanent tenant' means 'a person who either under section 79 of the Land Revenue Code otherwise is entitled to a tenancy in respect of any land used for agricultural purposes, the duration of which is co-extensive with the duration of the tenure of the Inamdar and includes a person' who has been in continuous possession of any land used for agricultural purposes in an inam by cultivating such land thereon himself with his own stock or by his hired servants or by hired labour or with hired stock on payment of rent to the inamdar...' Will the Hon'ble Minister be pleased to interpret it in a different way ?

Sri Kadidal MANJAPPA.—The tenant will become the owner.

Sri S. SRINIVASA IYENGAR.—I am saying that a permanent tenant is one who has been defined, on page 3 Section (12) and any person who claims to be a permanent tenant in virtue of the tenancy as defined in this section is entitled to be registered as the permanent tenant and whatever lands he has in his possession, are liable to be registered in his name. Therefore, equitable distribution of land is a misnomer. You will not accomplish what you have in mind. On the other hand, you will be harassing the Inamdar and terrorising the raiyats. And, therefore, I say in the first instance abolish all concessions. In the second instance, introduce limitation of holdings at once, in this very same session, so that everybody will have a minimum holding and if possible you may fix the ceiling limit also. You must assure a living wage to the raiyat and not have this defective legislation as such.

Sri A. BHEEMAPPA NAIK (Molakalmuru).—Sir, having heard Sri Srinivasa Iyengar, I feel that he is trying to keep his legs on both sides. He wants to

have the cake and at the same time eat it too. This minute he argues with the inamdar and the next minute he begins to say 'I am one who wants to give all the powers to the tenants and they must have all the rights'. There is no meaning in this. One must stand by this or by that. If you want proper compensation, by all means, claim it. You cannot at the same time go on saying 'we will have the inamthi continued.' If in the year 1935 a legislation was brought about or in that year survey settlement was introduced and completed, what effect it would have is a different thing. Whether that autocratic Government of those days brought about such a legislation or not, we cannot be responsible for that. As soon as this Government came into existence......

Sri J. MOHAMED IMAM (Jagalur).—This is bureaucratic Government.

Sri A. BHEEMAPPA NAIK.—As soon as this democratic Government came to power, it had to take up this case and it has worked it out. If this legislation is to be held up or delayed on account of the Opposition Leaders or Opposition Members, they must blame themselves for it and not this Government. I would like to concede at once his observation that this Bill has been materially altered and I accept it. It is really materially altered. If there is anything here so altered, it is the rate at which the inamdar is entitled to compensation. That, the present Select Committee has materially altered. It has also materially altered certain definitions like that of the permanent tenant. Instead of six years, they have said 12 years from the date of vesting. If that is the case, continuity of tenancy should be established; it will be impossible to establish because every inamdar has tried to see that the tenant is ousted out after 1948 at least for one year. For legal lacuna that discontinuity would be sufficient. If that definition were to stand, nobody can ever come under this legislation. Is this the object of the Government? Is it their object to see that the tenant is more harassed than before by this kind of change? It is well known to everybody that the inamdar has all the records but the tenant has nothing to his credit, not even a receipt. This is known to everybody. When that is the case, who should have the burden of proof to show whether he had continuous possession or not? That has not been shown. It is very necessary that the burden of proof to prove that the inamdar was cultivating his land and that he was entitled to the possession of that land, must fall on the inamdar and not on the tenant. That is my plea.

And again, Sir, in the definition of tenant, you have given one position to Kadim tenant, a different position to permanent tenant and another position to quasi-permanent tenant and a tenant-at-will is nowhere. That is not the correct way. Government see that all those that were enjoying the land, whether it is for one year, or two years or 10 years, get the benefit of it, irrespective of the number of years that they were holding. This Inamdar is changing tenants year after year. In order to evade the law, he was trying to change the hands. Merely because he was shrewd enough, he was crooked enough to change the man, he is to get all the benefit. Let us take the case of a preson like Sri Srinivasa Iyengar, my friend who is on the opposite bench. He has been good enough to bestow his jodi land on the same person. He has to suffer because there are persons that have cultivated for five years on his land. There is his neighbour inamdar who wanted to take to crooked ways. He has land. He has said 'I will have my land cultivated by somebody else; your son is ill; you please come and work in my house; I will give you Rs. 35 a month as salary.' So, by these means, he has deprived the previous tenant for a period of on year or six months or for more than two years and by so doing the continuity is broken. So that crooked man is benefited by your Act and not the honest inamdar who has allowed the previous man to continue. Is that correct?

Sri Kadidal MANJAPPA.—That is a compliment to Sri Srinivasa Iyengar.

Sri A. BHEEMAPPA NAIK.—Sri Srinivasa Iyengar has not deprived his tenant of his possession. But by these amendments the crooked Inamdar is benefited rather than the honest inamdar. That would not be proper. Times are such that inamdars should go. Even landlordism must go. You have got to do such things today. The earlier you do the better it is. This will be called a better Government if you bring about such changes today. You take the credit for bringing about such changes instead of the socialist friends like Sri Gopala Gowda. Why should you give credit to them ? Instead of that, take that credit for yourself and make your position more secure for the next elections. (*Laughter*). That the tenant has the right, if you decide it, decide it once for all and at the earliest time.

Unless, as already suggested there is limitation of holdings, it does not serve any purpose. Unless this is done, it would be giving room for unnecessary litigation, endless litigation, which will ultimately impoverish all as Sri Kemparaj put it. The inamdar is going to get compensation and he is enriched financially. He can successfully evade law, whereas the tenant, in addition to his giving the compensation, has also to pay a fat lawyer like me, and it will be difficult for him, both physically, mentally, morally and financially. So it would be very difficult for him...(*Interruption*). Therefore, I would seriously suggest that this Bill should be made more radical than what it is at present. From stage to stage, it has gone from bad to worse. Sri Gundappa Gowda's report gave certain rights. The later committee took away certain rights but retained some other rights. This Bill has taken away everything. Substance has been taken away and shadow is left behind.

Sri Kadidal MANJAPPA.—Sir, I do not know if the Hon'ble Member has studied the report properly for making such sweeping remarks. He has to substantiate......

Sri A. BHEEMAPPA NAIK.—My friend alone is not the person who has read the report in detail. That presumption he need not take. Even now, I can challenge that he has overlookep certain things. He has been making incessant remarks, whenever a member has stood up and criticised, that he has not studied the report in detail, and that he has not read and so on.

Sri Kadidal MANJAPPA.—I will answer in appropriate manner.

Sri A. BHEEMAPPA NAIK.—Then, at the proper time, you may put that question. That is a different position. Please do not presume that I have not read the Bill. After all it contains twenty or thirty sections.

Sri Kadidal MANJAPPA.—The Hon'ble Member must substantiate in what way the provisions of the Select Committee......

Mr. SPEAKER.—He is going to do that.

Sri Kadidal MANJAPPA.—He must substantiate the sweeping remarks he is making.

Sri A. BHEEMAPPA NAIK.—I have stood up to do that. If I do not finally substantiate, you may please finally say I have not. What is the compensation that you have fixed ? You take the Select Committee Report and the previous Report. You will see definitely that you have simply stated the number of multiples of land revenue. How many times ? In some cases, the land is so rich as to cost five or six thousand rupees an acre. How have you arrived at that figure and on what basis you have arrived at that ? In Mandya and Mysore Districts lands are worth five to six thousand rupees per acre. What is the value that you have fixed ? It may be, you may say that in the interests of the tenant let us fix it at low rates. But let there be some basis. Let us say to the inamdar, you are not entitled to anything, because you were given free grant of land in recognition of some service, for having given a little snuff to some Maharaja ; because you have enjoyed all these years, it is enough compensation and today we take away all that was given to you. That you have not done.

My friend was just saying that I have not read. For instance, I will read one sentence. Are you right in making this statement in the Bill which was published in the *Mysore Gazette* on 21st March 1953, "that in our opinion the Bill has not been so altered as to require circulation"? Do you really feel that it has not been so altered? Is that correct? The most important thing is whether the payment of compensation is equitable or inequitable. The basis on which you have decided, even that itself goes. Is that not a material alteration? You take the permanent tenant or the quasi-permanent tenant. How have you defined him? Whoever was in possession six years prior to 1948, you say in the previous Bill, he was considered. Even if he is in possession after this, he was not considered as quasi-permanent tenant or permanent tenant. Now what do you say? You say—he must not only be in possession for six years prior to 1948, but from that time till to-day also, he should be in possession. During the interim period you threatened to bring forward a Bill. What did the Inamdar do? Either by trying to sell the lands, or by removal of tenants, or by cajoling the tenants, or by forceful means, he removed several tenants.

2 P.M.

Now, what is their position? If they are deprived of their possession in one of these years, the previous position has materially altered. As such, if a person is not in possession last year, even though he was in possession for the last six years, he is deprived of the land. Is that not a material change? You say still that I have not read the Bill. You have not understood the meaning of what you have introduced later on. That is my opinion.

Sri Kadidal MANJAPPA.—Sir, the Hon'ble Member said that it has become from bad to worse. I said, it is not so. He has to substantiate what he said.

Sri A. BHEEMAPPA NAIK.—My friend was just saying that it is not from bad to worse. According to the previous Bill it was bad enough because you said 'six years before 1948'. A person who was entitled to be permanent tenant under the old Bill would not be so entitled according to the new section which you have introduced now. Is that not a material alteration? Has not that position gone from bad to worse?

Sri Kadidal MANJAPPA.—I will answer.

Sri A. BHEEMAPPA NAIK.—You please answer. Then, as Sri Srinivasa Iyengar pointed out, nowhere the word 'Inam' has been defined. There were several reports on this and the word Inam should have been defined properly, so that later on in the High Court a brilliant advocate like my friend Sri Pattabhiraman may not ask 'what is an Inam'?

Sri Kadidal MANJAPPA.—You please see Explanation, Sub-Clause 3 of Clause 1.

Sri K. PATTABHIRAMAN (Kolar).—You please give a definition.

Sri A. BHEEMAPPA NAIK.—It is my friend, the Revenue Minister, who is to give a definition. If I were in that position and if I had not given a definition, you could have asked me. Give me time even now; I will give a definition. Sir, what is that Explanation under Sub-Clause 3? It says Personal Inam, Kodagi, etc. What is it? How does it alter the position? Is it a definition of 'Inam'?

Well, Sir, then, there are cases where a person has sold all his inam lands to somebody else but without proper sale deed. Often the Inamdar gives some receipt and says that that is the sale deed. He says, "This is the sale deed. I am a Raja; I need not give any sale deed". Would that be valid? What would be the legal position when later on these are brought before the court of law? How could a person prove that he has purchased the land from the Inamdar? These positions must also be made clear here. Otherwise, what happens is, the person who is enjoying the lands and paying land revenue to the inamdar because there is no survey settlement, becomes a quasi-permanent tenant or a permanent

(SRI A. BHEEMAPPA NAIK.)

tenant and he is bound to pay compensation. Are you right in asking for compensation from a person who has purchased the land already from the inamdars ?

An Hon'ble MEMBER.—He has stepped into the shoes of the Inamdar.

Sri A. BHEEMAPPA NAIK.—Yes. You know and I know that out of these 35,000 persons whose claims have to be settled, at least 1/10 th of them would have purchased lands without proper sale deed. What would be the position of such a person ? Government may say that he will be considered as a permanent tenant as he has no proper sale deed. But he will say that he has stepped into the shoes of the Inamdar. Government will not agree to that position as he will have no proper record for having purchased the land. Then, they will be forced to pay compensation under this Act as others have to pay. What provision have you made for a position of that kind ?

Sri G. A. THIMMAPPA GOWDA (Arkalgud).—The Deputy Commissioner has the power to enquire.

Sri A.BHEEMAPPA NAIK.—Enquiry is not enough. The power should have been vested under the Act. The Deputy Commissioner has been empowered to enquire. Since survey and settlement has not been introduced into as many as 1,500, villages it is incumbent on our part to see that the rights of these tenants are preserved and are upheld even if they go to a court of law. From that point of view, it is necessary that proper provisions are made in this Act now.

Again, Sir, the term of payment or the time of payment, which has been fixed, is insufficient. Suppose, a person is poor, who holds five acres of lands to which you levy a compensation at a certain rate. Within 12 years you want him to pay off all that amount, you want him to manage the wholeaffair. And there are penalties if he does not pay regularly. If he does not pay regularly, is it that Government also would not pay to the Inamdar and say that because the tenants have not paid regularly, Government also cannot pay to the Inamdar regularly ? Or, whether the tenants pay you regularly or not, do you pay to the Inamdar regularly ? Why should you not pay it once for all and be done with it ? You must take some definite attitude; otherwise, it does not serve anybody's purpose. Again, Sir, I, at this juncture, would like to suggest that survey settlement must be introduced in every inam village whether big or small, immediately so that the raiyats' title may be registered. All these things should have been done by this time. Unless that is done, if the Inamdar shifts the possession from one to another, a permanent tenant before the introduction of this Bill may be converted into a tenant-at-will. It is in the hands of the Inamdar and the Jodidar. In the meanwhile, there were one or two emergency Acts introduced to protect the rights of tenancy. But they have evaded, they have not cared for, these Acts of emergency.

Sri J. MOHAMED IMAM.—Where?

Sri A. BHEEMAPPA NAIK.—In several villages.

Cutting of the trees and the removal of them by the tenants has been prohibited. Although we do not know whether the Government have kept records to show that there was a tenant who was deprived of his holding after that time, there are so many illegal acts done by those powerful inamdars in order to protect their own rights. How are you going to see that these illegal acts are not countenanced ? You should have made a provision here that whatever the position was in the years before these emergency Bills were introduced will be the position even to-day irrespective of the forcible possession or dispossession or any such thing. There is no such provision. After that, there have been sales overlooking the claims of several tenants. They have not cared and even though the other tenant has been in possession, there has been sale to somebody else. One man is holding possession and the other man is holding the sale deed. Between these two, whom are you going to prefer ? The

court will have to decide it. Therefore, is it your object to bring about incessant litigation or to confer benefits on the tenants? It is not so easy in every day affairs, in the day to day administration; you must provide for all these contingencies; you must see that these things are also broughtin in the Bill which you are going to pass. Otherwise, you might as well say 'No, no; let those emergencies arise. We will look into those things as and when they arise.' When you send all the persons to the courts, when the Judiciary takes notice of all these things, you will then try to set these right? Would it then be with retrospective effect or prospective effect? Therefore, with due deference to the Select Committee and its recommendations, I should submit that they should have looked into all these items in detail. Another unfortunate position is, Opposition Members like Sri Srinivasa Iyengar who pointed out all these now, should have done so before the Select Committee so that they could have taken note of these things.

Sri S. SRINIVASA IYENGAR.—I was not a member of the Select Committee.

Sri A. BHEEMAPPA NAIK.—Before the House when the Bill was taken up for consideration, before it was sent to the Select Committee, if all these things had been brought to the notice of this House, perhaps the Select Committee would have taken notice of all these matters. I also stand in the same position as others. Even now I should say it is not too late to refer this to another Select Committee and take it up in proper time after circulation. I feel that it calls for circulation because it has been materially altered.

Mr. SPEAKER.—An opportunity had been given and some amendments were sent day before yesterday.

Sri A. BHEEMAPPA NAIK.—We are thankful to the Speaker for having given an opportunity, because several members pointed out certain lacunæ. As we go on considering the Bill, as each member goes on making a speech, a new point arises. Because it is such a vexed question and it is being dealt with for the first time, it is but natural that several difficulties should arise and they have naturally arisen. We are not sorry for not having said so many things because this is a matter which nobody in India has taken up at present and nobody has finalised it. If there were a settled law anywhere, if this Personal and Miscellaneous Inams Abolition Bill were an achieved object elsewhere, perhaps there would have been a settled law and we would have been in a better position to deal with this Bill. Therefore we should not hustle through matters of this sort. We must give as much consideration as possible for this Bill. I do not say that Government were particularly interested either in an inamdar or in a tenant. Their object definitely is to do justice to one and all. In trying to do that, perhaps several considerations must have weighed each time to change the Bill and so if there has been change—over within these few years twice or thrice in a different way, after hearing this House also thoroughly if another opportunity is given, perhaps the Bill might emerge out more satisfactorily and in a better form than it is now. Only a few alterations are required. In supporting the Bill, I also request the Government to make necessary alterations to make this Bill more welcome.

Sri Mulka GOVINDA REDDY (Chitaldrug).—Mr. Speaker, Sir, the Select Committee in submitting a report of this nature to this Assembly has gone out of its competency. One would think that when once a Select Committee is appointed, it would make only such alterations as would improve the Bill. But here in this particular case, they have made such vital alterations as would not only not improve the Bill but would destroy the very purpose for which the Bill was brought in. As Sri Linga Reddy who has submitted a minute of dissent and other members who spoke on this Bill have rightly pointed out, it looks as though the Bill as reported by the Select Committee is made more in the interests of the inamdars than in the interests of the raiyats. They have omitted certain

(Sri MULKA GOVINDA REDDY.)

definitions which will materially alter the position. For example, they have omitted the definition of 'khas possession'. The definition in the original Bill is—

' 'Khas possession' used with reference to the possession of an inamdar means possession of such inamdar by cultivating such land himself with his own stock or by his own servants or by hired labour or with hired stock, continuously for a period of not less than three years prior to the first day of July 1948."

By omitting such definition and by altering the definition of 'permanent tenant' as has been done like this in Page 4—

" 'Permanent tenant' means a person who either under section 79 of the Land Revenue Code or otherwise is entitled to tenancy in respect of any land used for agricultural or horticultural"-(I really cannot understand why they omit the word 'horticultural' so much so the definition narrows the position of the permanent tenant, curtails the rights of the permanent tenant.)

By omitting the definition of 'khas possession' and also by allowing all those lands which are not going to be registered in the name of a permanent tenant or kadim tenant, to be registered in the name of the Inamdar, the Inamdar gets all the benefit. On the other hand, if they had stuck to the definition in the original Bill, all those lands which are not registered in the name of the permanent tenant, kadim tenant or the inamdar could have reverted to the Government and the Government could have distributed those lands among the landlords. Instead, they are making the inamdar to get all those lands which are not used or which have not been cultivated and not registered in the name of the permanent tenant and the kadim tenant."

Again, Sir, regarding the premium that is going to be collected from the tenants, it is much higher than what has been provided in the original Bill. So also, the compensation that is going to be paid to the inamdars, after the Select Committee has reported, is much higher than what it was in the original Bill. There are really material alterations in the report of the Select Committee and so naturally one would expect that when there is material alteration in the Bill, that Bill should be circulated but knowing as I do, that this problem deserves to be solved immediately here and now, I do not propose that it should be circulated and thereby delay the measure which is beneficial to the tenants. But still, the alterations are so material and so vital that the very purpose for which this Bill was brought forward, gets frustrated and defeated. So it is but natural that such a thing should not be allowed to be done and I suggest that this Bill as reported by the Joint Select Committee be referred back or recommitted to the Select Committee so that the Select Committee may submit a report to this Assembly before 20th of this month so that before this session closes we will be in a position to discuss this Bill and pass it and bring it into enactment.

Mr. Linga Reddy has done well in submitting a minute of dissent and I would like to read some of the portions of the dissenting note:

" At the time when the Bill was referred to the Select Committee, many honourable members suggested agrarian reforms of a revolutionary nature. The Select Committee report on inam abolition, far from being revolutionary or progressive, has culminated in an Inamdar's paradise, if not a lawyer's paradise."

The Revenue Minister took strong objection for this statement. What Mr. Linga Reddy has stated is perfectly right. The Select Committee Report, if it is accepted, is not only reactionary but it is retrograde. Instead of accepting such a report, where more injustices will be heated on the tenants, it is better that we throw out that report and ask this Assembly to

refer this matter to a Select Committee for a reconsideration of the whole thing afresh so that...

Mr. SPEAKER.—Same Committee or a different one ?

Sri Mulka GOVINDA REDDY.—I do personally wish that different members are appointed for this Select Committee because the moment the Select Committee submits a report and if the Bill is recommitted to the same Select Committee, we cannot be sure that they would reconsider and submit another report which will be more revolutionary in content and character. It is better that another Select Committee with different members with a broad outlook and those who can be trusted to work in the interests of the tenants as such may be appointed.

Mr. SPEAKER.—Is the Member aware that how many times has this Committee met ?

Sri Mulka GOVINDA REDDY.—All the more I feel so sorry that in spite of meeting 14 times, they have not been able to submit a report which is more revolutionary, which is more beneficial, which is more progressive. It is really regrettable that the fourteen times meetings of this Committee have been a waste, I should say, because most of the members of this Assembly are not at all in agreement with the report submitted by this Select Committee. It is regrettable that their labours have not been proved helpful.

Sri M. RAJASEKHARA MURTHY.—You have not mentioned any revolutionary suggestions !

Sri Mulka GOVINDA REDDY.—Definition of compensation should be there ; the definition of the permanent tenant as defined in the original Bill should be continued. Regarding compensation, Sir, it is very important that compensation should be very reasonable. For its being very reasonable, we should take into consideration that for centuries these inamdars have had the benefit of these inam lands without evincing any interest, without cultivating the lands by themselves. They had these benefits ; this parasitic class should not be allowed to have any benefit. But I do not want them to be turned out as beggars. On the other hand, they should be rehabilitated and for them to function as proper and useful citizens, we must allow them a certain economic holding so that they can live a happy life so that they can cultivate those lands by themselves and not depend on the interest of the unearned income that they used to have all these years. That is why, Sir, the compensation that the Select Committee has proposed is too much and it will work out very hard on the tenants as well as on the Government, because the Government are extracting this compensation that is going to be paid to the inamdars from the raiyats, from the tenants. 75 per cent of the premium that is going to be paid by the tenant is going to be paid as compensation. So, indirectly it works as a hardship on the tenant. On the other hand, I would urge that no premium should be collected from these tenants and the Government should be magnanimous in allowing these tenants who have suffered all these years, who cultivate lands, to be useful citizens so that theywill be helpful for the furtherance of the Governmental prog ramme. So, I suggest that a motion be placed before this House that Mysore (Personal and Miscellaneous) Inams Abolition Bill, 1953, as reported by the Joint Select Committee be recommitted to a Joint Select Committee with the direction that the report be submitted to the Assembly before 20th March 1954. The Select Committee should consist of the following members I am going to name afterwards.

Mr. SPEAKER.—You have not given notice of such a motion.

Sri Mulka GOVINDA REDDY.—I have got it with me. I will give it.

Mr. SPEAKER.—I have fixed the time for giving notice of a motion of this nature.

Sri Mulka GOVINDA REDDY.—There is no time-limit fixed for such motions.

2-30 P.M.

ಶ್ರೀ ಜಿ. ಎ. ತಿಮ್ಮಪ್ಪಗೌಡ (ಅರಕಲಗೂಡು).—ಸ್ವಾಮಿ, ಈ ಇನಾಂತಿ ರದ್ದಿಯಾತೀ ಮಸೂದೆಯು ನಿಜವಾಗಿಯೂ ಕೂಡ ಬಹು ಕ್ಲಿಷ್ಟವಾದ ಸಮಸ್ಯೆಯಿಂದ ಕೂಡಿದ್ದಾಗಿದೆ. ಎಲ್ಲರೂ ಕೂಡ ಇನಾಂ ಗ್ರಾಮಗಳು, ಜೋಡಿಗ್ರಾಮಗಳು ರದ್ದಾಗಬೇಕೆಂದು ಹೇಳಿ ಬಹಳ ಆಸಕ್ತಿಯಿಂದ ವಾದ ಮಾಡಿದರೂ ಸಹ ಜೋಡಿದಾರರಿಗೆ ಮತ್ತು ರೈತರಿಗೆ ಸಮರ್ಪಕವಾಗಿ, ಯಾರಿಗೂ ತೊಂದರೆಯಾಗದ ರೀತಿಯಲ್ಲಿ ಒಂದು ಸಲ್ಯೂಷನ್ ಕೊಡಬೇಕು ಎಂದರೆ ಯಾರಿಗೂ ಕೂಡ, ಇದುವರೆಗೂ ಮಾತನಾಡಿದವರಿಗಾಗಲಿ ನನಗೂ ಕೂಡ, ಇನ್ನೂ ಸಮರ್ಪಕವಾದ ಒಂದು ಸಲ್ಯೂಷನ್ ಕಂಡುಬಂದಿಲ್ಲ. ಈ ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಯವರು-ಇದರಲ್ಲಿ ಬಹಳ ಜನಗಳಿದ್ದರೂ, ಈ ಹೌಸ್‌ನ ನಿರೀಕ್ಷಣೆಗಿಂತಲೂ ಕೂಡ ಬಹಳ ಸಾರಿ ಎಂದರೆ 14 ಸಾರಿ ಸೇರಿದ್ದಾರು. ಅವರಾದರೂ ಕೂಡ ಎಲ್ಲಾ ಅಂಕಿಅಂಶಗಳನ್ನು ಶೇಖರಿಸಿಕೊಂಡು ಈ ಕ್ಲಿಷ್ಟ ಸಮಸ್ಯೆ ಬಗೆಹರಿಸಿ ನಮ್ಮ ಮುಂದೆ ಸುಲಭವಾದ ರೀತಿಯಲ್ಲಿ ಇದನ್ನು ಇಡುತ್ತಾರೆ ಎಂದು ನಾವು ಭಾವಿಸಿದ್ದೆವು. ದುರದೃಷ್ಟವಶಾತ್ ಯಾವ ಅನುಮಾನಗಳು ನಮ್ಮ ಮನಸ್ಸಿನಲ್ಲಿದ್ದವೋ ಆ ಅನುಮಾನಗಳು ಹಾಗೆಯೇ, ಇನ್ನು ಸ್ವಲ್ಪ ಹೆಚ್ಚಾಗಿಯೇ, ಉಳಿದಿವೆ, ಸ್ವಲ್ಪವೂ ಕೂಡ ಬಗೆಹರಿದಿಲ್ಲ. ಅವರು 14 ಸಾರಿ ಸೇರಿದಾಗಲೂ ಪ್ರಾಯಶಃ ವಾದದಲ್ಲೇ ಬಹಳ ವೇಳೆ ಕಳೆದುಹೋಗಿದೆ ಎಂದು ಊಹಿಸಬೇಕಾಗಿದೆ. ವಾದ ಮಾಡಿ ಮಾಡಿ ಕೊನೆಗೆ ಒಂದೇ ಒಂದು ಸುಲಭವಾದ ದಾರಿಗೆ ಬಂದು ಬಿಟ್ಟರು. ಏನೆಂದರೆ ಯಾರಿಗೂ, ಜೋಡಿದಾರರಿಗೂ ನೋಯಬಾರದು, ರೈತರಿಗಂತೂ ಗೊತ್ತಾಗುವುದೇ ಇಲ್ಲ, ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಯವರು ಮಾಡಿದರು ಅಂತಲೂ ಗೊತ್ತಾಗುವುದಿಲ್ಲ, ಇನ್ನು ಯಾರು ಮಾಡಿದರು ಅಂತಲೂ ಗೊತ್ತಾಗುವುದಿಲ್ಲ. ಅಂತೂ ಸುಲಭವಾದ ಮಾರ್ಗ ಹಿಡಿದರು. ಅದು ಏನು ಮಾರ್ಗ? ಬದಲಾಯಿಸಿರುವುದು ಏನು? ಎಂದರೆ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟಿನ ಡೆಫನಿಷನ್ನನ್ನು ಇನ್ನೂ ಮತ್ತೆ ಸ್ವಲ್ಪ ಎನ್‌ಲಾರ್ಜ್ ಮಾಡಿದರು. ಮೊದಲೇ ಲ್ಯಾಂಡ್ ರೆವಿನ್ಯೂ ಕೋಡ್ ಪ್ರಕಾರ ಕದೀಂ ಟೆನೆಂಟ್, ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಇವರ ಡೆಫನಿಷನ್ ಇದ್ದೇ ಇತ್ತು. ಲ್ಯಾಂಡ್ ರೆವಿನ್ಯೂ ಕೋಡ್ ಪ್ರಕಾರ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದರೆ 12 ವರ್ಷದ ಮೇಲ್ಪಟ್ಟು ಜೋಡಿಗ್ರಾಮಗಳಲ್ಲಿ ಸ್ವಾಧೀನದಲ್ಲಿದ್ದುಕೊಂಡು ಒಂದೇ ರೀತಿಯಾದ, ಒಂದು ನಿಗದಿಯಾದಂಥ ಗುತ್ತಾವನ್ನಾಗಲೀ, ಕಂದಾಯವನ್ನಾಗಲೀ ಕೊಟ್ಟುಕೊಂಡು ಬಂದಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ಅವರು ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ಸ್ ಎಂದು ನಿರ್ಧರಮಾಡಿಬಿಟ್ಟಿದ್ದಾರೆ. ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್‌ಗೂ, ಕದೀಂ ಟೆನೆಂಟ್‌ಗೂ ಏನು ವ್ಯತ್ಯಾಸ ಎಂದರೆ ಕದೀಂಟೆನೆಂಟ್ ಎನ್ನುವವರು ಜೋಡಿದಾರರಾಗಲಿ, ಸರ್ಕಾರದವರಾಗಲೀ ನಿಗದಿಮಾಡಿರತಕ್ಕಂಥ ಒಂದು ಕಂದಾಯವನ್ನು ದವಸದ ರೂಪದಲ್ಲಾಗಲಿ ಅಥವಾ ಹಣದ ರೂಪದಲ್ಲಾಗಲಿ ಅಕ್ಕಪಕ್ಕದ ಗ್ರಾಮಗಳನ್ನು ನೋಡಿಕೊಂಡು ಏನು ಒಂದು ನಿಗದಿಯಾದ ಕಂದಾಯವನ್ನು ಗೊತ್ತುಮಾಡಿದ್ದರೋ ಅದನ್ನು ಕಟ್ಟಿಕೊಂಡು ಬಂದರೆ ಆಯಿತು, ಆತ ಕದೀಂಟೆನೆಂಟು, ಅದು ಹೆರಿಟಬಲ್, ಮಕ್ಕಳು, ಮರಿಮಕ್ಕಳು ಅದನ್ನು ಅನುಭವಿಸಬಹುದು ಮತ್ತು ಬೇರೆಯವರಿಗೆ ಮಾರಾಟಮಾಡಬಹುದು. ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದರೆ ಅನುಭವಮಾಡಿಕೊಂಡು ಹೋಗಬಹುದು, ಮಾರಾಟಕ್ಕೆ ಮಾತ್ರ ಅವಕಾಶವಿಲ್ಲ. ಎಂದರೆ ಕದೀಂಟೆನೆಂಟು ಮತ್ತು ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟುಗಳಿಗೆ ಜಮೀನು ಅನುಭವಿಸುವುದರಲ್ಲಿ ಅಷ್ಟೊಂದು ವ್ಯತ್ಯಾಸ ಕಂಡುಬಂದಿಲ್ಲ. ಹಾಗಿದ್ದರೂ ಕೂಡ ಈ ಬಿಲ್ಲಿನ ಪ್ರಕಾರ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ಸ್ ಸಹ ಕಂದಾಯದ 25ರಷ್ಟು ಕಾಂಪೆನ್‌ಸೇಷನನ್ನು ಸರ್ಕಾರದವರಿಗೆ ಕೊಡಬೇಕೆಂದು ಹೇಳಿ ನಿಗದಿ ಮಾಡಿದ್ದಾರೆ. ಈ ಇನಾಂ ಗ್ರಾಮಗಳನ್ನು ಸರ್ಕಾರದವರು ತೆಗೆದುಕೊಂಡರೂ ಕೂಡ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂಬುವವನು ನಿಗದಿಯಾದಮೇಲೆ, ಸರ್ಕಾರಿ ರಿಕಾರ್ಡ್ಸ್‌ಗಳಿಂದ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಆಗಿದ್ದರೆ ಅಥವಾ ಜೋಡಿದಾರ ಆತ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದು ರೆಕಗ್ನೈಸ್ ಮಾಡಿದ್ದರೆ ಅಥವಾ ಕೋರ್ಟುಗಳಲ್ಲಿ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದು ರೆಕಗ್ನೈಸ್ ಆಗಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ಆತ ಈ ಎಲ್ಲಾ ಹಕ್ಕುಗಳನ್ನೂ ಅನುಭವಿಸುವುದಕ್ಕೆ ಅವಕಾಶವಿದೆ. ಹೀಗಿದ್ದರೂ ಕೂಡ, ಆತನೂ ಕೂಡ ಕದೀಂಟೆನೆಂಟ್‌ನ ರೀತಿಯಲ್ಲಿದ್ದರೂ ಕೂಡ ಅವನೂ ಸಹ ಕಾಂಪೆನ್ಸೇಷನ್ ಕೊಡಬೇಕೆಂದು ಹೇಳಿ ಈ ಬಿಲ್‌ನಲ್ಲಿ ನಮೂದಿಸಿದೆ. ಇದು ನ್ಯಾಯವಾದದ್ದಲ್ಲ ಎಂದು ಹೇಳಿ ನಾನು ಸೂಚನೆ ಮಾಡುತ್ತೇನೆ. ಪ್ರಾಯಶಃ ಈ ರೀತಿ ಏಕೆ ಮಾಡಿದ್ದಾರೆ ಎಂದರೆ ಈ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಡೆಫನಿಷನ್ ಸ್ವಲ್ಪ ಎನ್‌ಲಾರ್ಜ್‌ಮಾಡಿ ಖಾಯಂ ಆಗಿ 12 ವರ್ಷ ನಿಗದಿಯಾದ ಹಣವನ್ನು ಅಥವಾ ಗುತ್ತಾವನ್ನು ಕಟ್ಟಿಕೊಂಡು ಬರುವುದಲ್ಲದೆ ಯಾರು 12 ವರ್ಷದ ಮೇಲ್ಪಟ್ಟು ಸ್ವಾಧೀನದಲ್ಲಿದ್ದಾರೋ ಅವರು ನಿಗದಿಯಾಗಿ ಕೊಡಬೇಕಾಗಿಲ್ಲ, 12 ವರ್ಷ ಒಂದೇ ಸಮನಾಗಿ ಸ್ವಾಧೀನದಲ್ಲಿದ್ದರೆ ಸಾಕು, ಅಂಥವರೂ ಕೂಡ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಆಗಬಹುದು ಎಂದು ಅಷ್ಟೇ ಬದಲಾವಣೆ ಮಾಡಿರುವುದು. ಆ ಬದಲಾವಣೆ ಮಾಡಿರುವುದರಿಂದ ಅವರೂ ಕೂಡ ಕಾಂಪೆನ್‌ಸೇಷನ್ ಹಣವನ್ನು ಕೊಡಬೇಕು ಎಂಬತಕ್ಕ ಒಂದು ನಿರ್ಧಾರಕ್ಕೆ ಬಂದರು ಎಂದು ಕಾಣುತ್ತದೆ. ಹಾಗಿದ್ದಮೇಲೆ ಯಾರು ಕೆಲವರು ಮಾತ್ರ ಎನ್‌ಲಾರ್ಜ್ಡ್ ಡೆಫನಿಷನ್ ಒಳಗೆ ಬರುತ್ತಾರೆಯೋ ಅವರು ನ್ಯಾಯವಾಗಿ ಕಾಂಪೆನ್‌ಸೇಷನ್ ಕೊಡಬೇಕಾಗುತ್ತದೆಯೋ ಹೊರತು ಆತ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದು ನಿಗದಿಯಾಗಿ, ಗುತ್ತಾವನ್ನಾಗಲೀ ಕಂದಾಯ ಆಗಲೀ ಕೊಡುತ್ತಾ ಇದ್ದರೋ ಅಂತಹವರು ಕೊಡಬೇಕಾದ್ದು ನ್ಯಾಯವಲ್ಲ ಎಂದು ನಾನು ಹೇಳುತ್ತೇನೆ. ಅದೂ ಅಲ್ಲದೆ ನನ್ನ ಮಾನ್ಯ ಮಿತ್ರರು ಹೇಳಿದ ಹಾಗೆ, ಪರ್ಮನೆಂಟ್‌ಟೆನೆಂಟ್ ಎಂದರೆ ಈಗಿನ ಡೆಫನಿಷನ್ ಪ್ರಕಾರ date of vesting ನಿಂದ 12 ವರ್ಷದ ಹಿಂದೆ ಯಾರು ಸ್ವಾಧೀನದಲ್ಲಿರುತ್ತಾರೆಯೋ ಅವರು ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದು ತಾವು ಮಾಡಿದ್ದೀರಿ. ಆಗಲೇ ಮಾನ್ಯಮಿತ್ರರು ಕೆಲವರು ತಿಳಿಸಿದ್ದಾರೆ. ಈ ಮಧ್ಯೆ ಶ್ರೀ ಗುಂಡಪ್ಪಗೌಡರ ಸಮಿತಿ ರಚನೆಯಾಗಿ 1948ನೇ ಇಸವಿ ಜುಲೈನಿಂದ ಈಚೆಗೆ ಅನೇಕ ಮಾರಾಟಗಳು ಜೋಡಿ ಗ್ರಾಮಗಳಲ್ಲಿ ಆಗಿವೆ. ರೈತರ ಸ್ವಾಧೀನ ತಪ್ಪಿಸಿದ್ದಾರೆ, ರೈತರನ್ನು ಜಮೀನಿನಿಂದ evict ಮಾಡಿದ್ದಾರೆ. ಈ ರೀತಿ ಸ್ವಾಧೀನ ತಪ್ಪಿಸಿ ಕೆಲವು ವರ್ಷಗಳಿಂದ ತಕರಾರು ನಡೆಯುತ್ತಿರುವ ನಿದರ್ಶನಗಳು ಇವೆ. ನನ್ನ ಕಣ್ಣಾರೆ ನೋಡಿದ್ದೇನೆ. ಇದರಿಂದ ಅವರುಗಳಿಗೆ ಎಷ್ಟರಮಟ್ಟಿನ ನ್ಯಾಯ ದೊರಕುತ್ತದೆ, ಅವರ ತೊಂದರೆ ಪರಿಹಾರವಾಗುತ್ತದೆ ಎಂಬ ವಿಷಯ ಈ ಕಾನೂನಿನಲ್ಲಿ ನಮೂದಿಸಿಲ್ಲ. ಆದ್ದರಿಂದ ನನ್ನ ಸಲಹೆ date of vesting

ತಾರೀಖಿನಿಂದ 12 ವರ್ಷ ಅಲ್ಲದೆ 1948ನೇ ಇಸವಿ ಜುಲೈ ಒಂದರ ಹಿಂದೆ 6 ವರ್ಷ ಕೂಡ ಯಾರು ಸ್ವಾಧೀನದಲ್ಲಿದ್ದಾರೋ ಅವರೂ ಕೂಡ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ಸ್ ಎಂದು ಹೇಳಿ ಆ ಕ್ಲಾಸ್ ಸೇರಿಸಿಕೊಳ್ಳಬೇಕಾಗುತ್ತದೆ. 1948ನೇ ಜುಲೈ ಒಂದನೆ ತಾರೀಖಿನಿಂದ ಹಿಂದೆ 6 ವರ್ಷ ಅಥವಾ ಮೇಲ್ಪಟ್ಟು ಯಾರು ಇದ್ದಾರೋ ಅವರೂ ಕೂಡ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದು ಭಾವಿಸಿಕೊಳ್ಳಬೇಕಾಗುತ್ತದೆ. ಅವರು ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಅನ್ನುವುದನ್ನು ನಿರ್ಧರಮಾಡಬೇಕಾದರೆ ಒಂದು ದೊಡ್ಡ ಕಷ್ಟ ಇದೆ. ನನ್ನ ಮಿತ್ರರಾದ ಶ್ರೀ ಲಿಂಗಾರೆಡ್ಡಿಯವರು ಈ ವಿಚಾರ ನಿನ್ನೆ ಬಹಳ ದೀರ್ಘವಾಗಿ ಹೇಳಿದರು. ನಮಗೆಲ್ಲರಿಗೂ ಗೊತ್ತಿರುವ ಹಾಗೆ ಈ ಇನಾಂಗ್ರಾಮಗಳಲ್ಲಿ ಕದೀಂ ಟೆನೆಂಟ್ ಯಾರು, ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಯಾರು, ಕ್ವಾಸಿಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಯಾರು, ಟೆನೆಂಟ್ ಅಟ್ ವಿಲ್ ಯಾರು ಎಂಬುದನ್ನು ಜೋಡಿದಾರರು, ಮತ್ತು ಇನಾಂದಾರರು 14ನೇ ರಿಜಿಸ್ಟರ್ ಪ್ರಕಾರ ತಾಲ್ಲೂಕು ಆಫೀಸರುಗಳಿಗೆ ತಪಶೀಲು ಕೊಡಬೇಕು. ತಾಲ್ಲೂಕು ಆಫೀಸಿ ಲ್ಲಿ ಪ್ರತಿ ವರ್ಷವೂ ಆ ಲೆಕ್ಕ ಇರಬೇಕು ಎಂಬ ನಿಗದಿ ಇದೆ. ನನ್ನ ಅನುಭವದಲ್ಲಿರುವ ಪ್ರಕಾರ ತಾಲ್ಲೂಕು ಆಫೀಸಿನಲ್ಲಿ ಕೆಲವು ಜೋಡಿ ಗ್ರಾಮಗಳ ಇನಾಂದಾರರ ಪರ್ಟಿಕ್ಯುಲರ್ಸ್ ಪರೀಕ್ಷೆ ಮಾಡಿದ್ದೇನೆ. ಹಾಸನ ಅರಕಲಗೂಡು ತಾಲ್ಲೂಕುಗಳಲ್ಲಿ ನಾನು ನೋಡಿದ್ದರ ಪ್ರಕಾರ 30-40 ವರ್ಷಗಳಿಂದಲೂ ಕೂಡ ಅವರು ಆ ಲೆಕ್ಕ ಕೊಟ್ಟಿಲ್ಲ. ಆದ್ದರಿಂದ ರೈತರು ಯಾರು ಕೂಲಿಗಾರರನ್ನಿಟ್ಟು ಮಾಡಿಸುತ್ತಾರೆಯೋ, ಮುಂಚಿನಿಂದಲೂ ಇದ್ದ ರೈತರೇ ಅಲ್ಲವೇ ಎಂಬ ವಿಚಾರದಲ್ಲಿ ಒಂದು ನಿರ್ಧರಕ್ಕೆ ಬರುವುದು ಕಷ್ಟ. ಕೆಲವು ಪರ್ಟಿಕ್ಯುಲರ್ ಕೇಸಸ್ ಬಂದಾಗ ಕೂಡ ಕದೀಂ ಟೆನೆಂಟ್ ಎಂದು ನಾನು ವಾದಮಾಡಿದಾಗ ತಾಲ್ಲೂಕು ಅಮಲ್ದಾರರು ಜೋಡಿದಾರರಿಗೆ 14ನೇ ರಿಜಿಸ್ಟರ್ ಪ್ರಕಾರ ದಾಖಲೇ ಕೊಟ್ಟಿಲ್ಲ, ಕಳುಹಿಸಿ ಕೊಡಿ ಎಂದು ಅನೇಕ ರಿಮೈಂಡರ್‌ಗಳನ್ನು ಕೊಟ್ಟರೂ ಸಹ ಕಳುಹಿಸಿಕೊಟ್ಟಿಲ್ಲ. ಜೋಡಿದಾರರು ಹೀಗೆ ಮಾಡಿಕೊಂಡು ಬಂದಿದ್ದಾರೆ. ಅನೇಕ ವೇಳೆ ರೈತರುಗಳಿಗೆ ದಕ್ಕಲ್‌ಪಟ್ಟಿ ಕೊಡುವುದು ಜಮೀನು ಬಿಡಿಸುವುದು, ತಮ್ಮ ಅನುಕೂಲಕ್ಕೆತಕ್ಕಂತೆ ಇಷ್ಟಬಂದಹಾಗೆ ಮಾಡಿಕೊಂಡಿದ್ದಾರೆ.

ನಮಗೆ ಗೊತ್ತಿರುವಹಾಗೆ ಮೈಸೂರು ಸರ್ಕಾರದವರು ಇದುವರೆಗೆ ಈ ವಿಷಯವನ್ನು ಪರಿಶೀಲಿಸಲು ಎರಡು ಮೂರು ಸಮಿತಿಗಳನ್ನು ನೇಮಕಮಾಡಿದ್ದಾರೆ. ಎಂದಿದ್ದರೂ ತಮ್ಮ ಹಿತಕ್ಕೆ ಧಕ್ಕೆ ಬರಬಹುದೆಂಬ ತಿಳಿವಳಿಕೆಯಿರುವ ಇನಾಂದಾರರು ಅನೇಕ ವಿಧದಲ್ಲಿ ಭದ್ರಮಾಡಿಕೊಂಡಿದ್ದಾರೆ. ಆದರೆ ರೈತರ ವಿಚಾರ ಹೇಳುವುದಾದರೆ, ಇಧರ ಪ್ರಕಾರ ತಾವು ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದು ಸಮರ್ಥನೆಮಾಡಬೇಕಾದರೆ ಅವರಿಗೆ ಕಷ್ಟವಾಗುತ್ತದೆ. ಬಹು ಜನರಿಗೆ ಸಾಧ್ಯವಾಗಲಾರದು. ಶೇಕಡ ಹತ್ತರಷ್ಟು ಜನ ತಾವು ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ಸ್ ಎಂದು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೆ ಸಾಧ್ಯವಾಗುತ್ತದೆಯೋ ಇಲ್ಲವೋ ಗೊತ್ತಿಲ್ಲ. ಇದರಿಂದ ಈ ಮಸೂದೆಯ ಉದ್ದೇಶವೆನಿದೆಯೋ ಅದು ಪೂರ್ಣ ಸಫಲವಾಗುವುದಿಲ್ಲ. ಇನಾಂ ಗ್ರಾಮಗಳಲ್ಲಿ ತಮ್ಮ ತಾತ ಮುತ್ತಾತರ ಕಾಲದಿಂದಲೂ ಅನೇಕ ರೈತರು ಜಮೀನು ಮಾಡಿಕೊಂಡು ಇನಾಂದಾರರಿಗೆ ಕಂದಾಯ ಕೊಟ್ಟುಕೊಂಡು ಬರುತ್ತಿದ್ದಾರೆ. ಇಂಥವರು ಪ್ರತಿಯೊಂದು ಇನಾಮ್ ಗ್ರಾಮದಲ್ಲಿಯೂ ಬೇಕಾದಷ್ಟು ಜನರಿದ್ದಾರೆ. ಇಂಥವರನ್ನು ಇನಾಮ್‌ದಾರರು 'ಟೆನೆಂಟ್ಸ್ ಅ್ಯಟ್‌ವಿಲ್' ಎಂದು ತಮ್ಮ ಖಾಸ್ ಪೊಸೆಷನ್‌ನಲ್ಲಿರುವ ಜಮೀನನ್ನು ಇವರಿಗೆ ವಾರಗುತ್ತಿಗೆಗೆ ಕೊಟ್ಟಿದ್ದೇವೆಂದು ಹೇಳಿ ಬದಲಾಯಿಸಿದರೆ ಈ ರೈತರು ಜಮೀನಿಲ್ಲದ ಭಿಕಾರಿಗಳಾಗುತ್ತಾರೆ. ಈಗ ಇಂಥವರಿಗೆ ಜಮೀನು ಒದಗಿಸುವ ಸಮಸ್ಯೆ ಕಠಿಣವಾಗಿ ಸರ್ಕಾರದ ಮುಂದೆ ಬರುತ್ತದೆ. ಆದುದರಿಂದ ಈಗಲೇ ಚುರುಕಿನಿಂದ ಪರಿಹಾರ ಮಾಡಬೇಕೆಂಬ ಸದುದ್ದೇಶದಿಂದ, ಸಾರ್ವಜನಿಕರ ಅಭಿಪ್ರಾಯದಂತೆ, ಬಹುಕಾಲದ ಹಿಂದೆಯೇ ಮಾಡಬೇಕಾಗಿದ್ದ ಸುಧಾರಣೆ ಈಗ ಬಂದಿವೆ. ಇದರಿಂದ ಎಷ್ಟು ಮಟ್ಟಿಗೆ ಸಮಸ್ಯೆ ಬಗೆಹರಿಯುತ್ತದೆ, ರೈತರಿಗೆ ಎಷ್ಟು ಮಟ್ಟಿಗೆ ನ್ಯಾಯ ದೊರೆಯುತ್ತದೆ ಎಂಬುದನ್ನು ದೀರ್ಘವಾಗಿ ಯೋಚನೆ ಮಾಡಬೇಕಾಗುತ್ತದೆ.

ಈ ಸಂದರ್ಭದಲ್ಲಿ ನಮ್ಮ ಮಿತ್ರರಾದ ಶ್ರೀ ಮುಲಾಗೋವಿಂದರೆಡ್ಡಿಯವರೂ ಶ್ರೀ ಲಿಂಗಾರೆಡ್ಡಿಯವರೂ ಸಮಾಜವಾದ ಅಥವಾ ಉಗ್ರವಾದದ ದೃಷ್ಟಿಯಿಂದ ಸರ್ಕಾರದವರು ಎಂದಿದ್ದರೂ ಈ ಸಮಸ್ಯೆಯನ್ನು ಎದುರಿಸಲೇ ಬೇಕು, ಹತ್ತು ಜನರಿಗೆ ತೊಂದರೆಯಾದರೂ ಮಿಕ್ಕವರಿಗೆ ಅನುಕೂಲವಾಗುತ್ತದೆ, ಮುಂದೆ ನುಗ್ಗೋಣವೆಂದು ಹೇಳಿರುವ ರೀತಿಯಲ್ಲಿ ಧೈರ್ಯಮಾಡುವ ಹಾಗಿದ್ದರೆ, ಖದೀಂಟೆನೆಂಟ್, ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಮತ್ತು ಕ್ವಾಸಿ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂಬುದಕ್ಕೆಲ್ಲಾ ಹಿಂದಿನ ಮಸೂದೆಯಲ್ಲಿರುವ ಅರ್ಥವಿವರಣೆಯನ್ನೇ (definition) ಇಟ್ಟುಕೊಂಡು ಖಾಸ್ ಪೊಸೆಷನ್ ಎಂದರೆ 1948ನೆಯ ಇಸವಿಗೆ ಹಿಂದೆ ಮೂರು ವರ್ಷಗಳಕಾಲ ಜಮೀನ್‌ದಾರರು ಯಾವ ಜಮೀನನ್ನು ತಾವೇ ಸ್ವಂತವಾಗಿ ಕೂಲಿ ಇಟ್ಟು ಉತ್ತು ವ್ಯವಸಾಯ ಮಾಡಿಸಿಕೊಂಡು ಬಂದಿದ್ದಾರೋ ಅಂಥಾ ಜಮೀನನ್ನು ಅವರಿಗೆ ಬಿಟ್ಟು ಉಳಿದದ್ದನ್ನು ಖದೀಮ್ ಟೆನೆಂಟ್‌ಗಳಿಗೂ ಪರ್ಮನೆಂಟ್ ಮತ್ತು ಕ್ವಾಸಿ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟುಗಳಿಗೂ ಕೊಟ್ಟು ಇನ್ನುಳಿದ ಜಮೀನನ್ನು ಸರ್ಕಾರಕ್ಕೆ ತೆಗೆದುಕೊಂಡು ಅದನ್ನು ಜಮೀನಿಲ್ಲದಿರುವವರಿಗೆ—ಅದೇ ಊರುಗಳಲ್ಲಿರುವ ಜಮೀನಿಲ್ಲದ ರೈತರಿಗೆ—ಹಂಚುವ ಭಾಗದಲ್ಲಿ ಅದು ನಿಜವಾಗಿಯೂ ಕ್ರಾಂತಿಕಾರಕವಾದ ಬದಲಾವಣೆ, ನ್ಯಾಯ. ರೈತರ ಸಮಸ್ಯೆಯನ್ನು ಬಗೆಹರಿಸಿದ ಮೇಲೆ ಇನಾಂದಾರರ ಸಮಸ್ಯೆ ನಮ್ಮ ಮುಂದೆ ಬರುತ್ತದೆ. ಇನಾಂದಾರರು 1948ಕ್ಕೆ ಮೂರು ವರ್ಷಗಳ ಹಿಂದೆ ತಾವು ಸ್ವಂತವಾಗಿ ಮಾಡದೇ ಇದ್ದರೆ, ಐವತ್ತು ಎಕರೆ ಅಥವಾ ನೂರು ಎಕರೆ ಜಮೀನು ಇದ್ದರೂ ಅದನ್ನು ಖದೀಮ್ ಟೆನೆಂಟ್ಸ್‌ಗೆ ಬಿಟ್ಟುಕೊಟ್ಟರೆ ಇನಾಂದಾರರನ್ನು landless ಆಗಿ ಮಾಡಿದಂತಾಗುವುದಿಲ್ಲವೆ ಎಂದು ನಮ್ಮ ಮಿತ್ರರನೇಕರು ಕೇಳುತ್ತಿದ್ದಾರೆ. ಸ್ವಲ್ಪ ಮಟ್ಟಿಗೆ ಈ ಪ್ರಶ್ನೆ ಬರುತ್ತದೆ. 'Ceiling limit' ಇಡಿ, ಎಂದು ಮಿತ್ರರು ಕೆಲವರು ಹೇಳುತ್ತಾರೆ. ಇನ್ನು ಸ್ವಲ್ಪ ಕಾಲದಲ್ಲಿ ರೈತವಾರಿ ಮುಂತಾದ ಜಮೀನು ಸುಧಾರಣೆಗೆ ಸಂಬಂಧಪಟ್ಟ ಹಾಗೆ Comprehensive Land Reforms ಬಂದಾಗ ಇದನ್ನೆಲ್ಲಾ ನೋಡಬಹುದು.

ಸದದಲ್ಲಿ ತಲೆ ಕೆಡಿಸಿಕೊಂಡರೂ ತೀರ್ಮಾನಕ್ಕೆ ಬಾರದೇಯಿರುವ ಪ್ರಶ್ನೆಯೊಂದಿದೆ. ಖದೀಮ್ ಟೆನೆಂಟಿಗೆ ಜಮೀನು ಬಿಡಬೇಕೆಂಬುದು ಕಾನೂನಿನಲ್ಲಿದೆ. ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂಬುದಕ್ಕೆ ಲ್ಯಾಂಡ್ ರೆವಿನ್ಯೂ ಕೋಡ್‌ನಲ್ಲಿ ಕೊಟ್ಟಿರುವ ಅರ್ಥವಿವರಣೆಯನ್ನೇ ಇಟ್ಟುಕೊಂಡು ಇವನಿಗೆ ಭೂಮಿಯನ್ನು

(ಶ್ರೀ ಜಿ. ಎ. ತಿಮ್ಮಪ್ಪಗೌಡ).

ಕೊಡಬೇಕಾದರೆ ಕಾಂಪೆನ್ಸೇಷನ್ ಲ್ಯಾಂಡ್ ರೆವಿನ್ಯೂನ ಹತ್ತರಷ್ಟು ಕೊಡಬೇಕೆಂದು ಗುಂಡಪ್ಪಗೌಡರ ಸಮಿತಿಯವರು ಸೂಚಿಸಿದ್ದಾರೆ. ಕ್ವಾಸಿ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಅರ್ಥವಿವರಣೆಯನ್ನು ಹಿಂದಿದ್ದ ಬಿಲ್ಲಿನಲ್ಲಿರುವಂತೆಯೇ ಇಡಬೇಕು. 1948 ನೆಯ ಇಸವಿಗೆ ಹಿಂದೆ ಆರು ವರ್ಷಕಾಲ ಆತನ ಸ್ವಾಧೀನದಲ್ಲಿದ್ದರೆ ಅಥವಾ date of vesting ನಿಂದ ಹಿಂದೆ 12 ವರ್ಷ ಅವನ ಸ್ವಾಧೀನದಲ್ಲಿದ್ದರೆ, ಇಂಥವರು ಕ್ವಾಸಿ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ ಎಂದು ಇಟ್ಟುಕೊಂಡು ಇದಕ್ಕೆ 20 times the lan revenue ಎಂದು ಗೊತ್ತುಮಾಡಬಹುದು. ಎಲ್ಲಕ್ಕಿಂತ ಮೂಲಭೂತವಾಗಿ ನಾವು ಯೋಚಿಸಬೇಕಾದುದು ಒಂದಿದೆ. ಅದೇನೆಂದರೆ, ಲ್ಯಾಂಡ್ ರೆವಿನ್ಯೂ ಕೋಡಿನ ಪ್ರಕಾರ 'ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್,' 'ಕ್ವಾಸಿ ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್,' 'ಟೆನೆಂಟ್ಸ್-ಅಟ್-ವಿಲ್' ಎಂದು ರುಜುವಾತು ಮಾಡಬೇಕಾದರೆ, ಈಗ the burden of proof lies on the tenant to prove whether he is a permanent tenant, quasi-permanent tenant or tenant-at-will or kadim tenant. . . . . .

Sri Kadidal MANJAPPA.—Can you suggest a better form ?

ಶ್ರೀ ಜಿ. ಎ. ತಿಮ್ಮಪ್ಪಗೌಡ.—ಮದರಾಸು ಮತ್ತು ಇತರಕಡೆ ಇರುವ ರೀತಿಯಲ್ಲಿ ಟೆನೆಂಟ್ಸ್-ಅಟ್-ವಿಲ್, ಪರ್ಮನೆಂಟ್ ಟೆನೆಂಟ್ಸ್ ಅಲ್ಲವೆಂದು ಇನಾಮ್ದಾರರು ಹೇಳಿದರೆ, burden of proof ಇನಾಮ್ದಾರರ ಮೇಲೆ, ಜಮೀನ್ದಾರರ ಮೇಲೆ ಹಾಕಬೇಕು.

Sri Kadidal MANJAPPA.—I do not think there is any such provision in other Acts.

ಶ್ರೀ ಜಿ. ಎ. ತಿಮ್ಮಪ್ಪಗೌಡ.—ಬಾಕಿ ಕಡೆ ಇದೆ. ರೈತನಿಗೆ ಈ benefit ಕೊಡುವುದು ನ್ಯಾಯ. Presumption in favour of ryots ಕೊಟ್ಟರೆ ಶೇಕಡ 50 ಸಂದರ್ಭಗಳಲ್ಲಿ ರೈತರಿಗೆ ಅನುಕೂಲವಾಗಿ ತೀರ್ಮಾನವಾಗುವುದರಲ್ಲಿ ಸಂದೇಹವಿಲ್ಲ. ಇದರಲ್ಲಿ ನ್ಯಾಯವಿದೆ. ರಿಕಾರ್ಡುಗಳನ್ನಿಟ್ಟುಕೊಂಡಿರುವವರು ಇನಾಮ್ದಾರರು. ಯಾರು ಎಷ್ಟೇ ಪ್ರಯತ್ನಪಡಲಿ, even to-day they are not giving kandayam receipts. ಯಾವ ದಾಖಲಾತಿಯನ್ನೂ ರೈತರಿಗೆ ಕೊಡುತ್ತಿಲ್ಲ, ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿಯೇ ಕೊಡುತ್ತಿಲ್ಲ. ಆದುದರಿಂದ ಅನುಕೂಲಸ್ಥಿತಿಯಲ್ಲಿರುವವರು ಇನಾಮ್ದಾರರು. ಇಂಥವರಮೇಲೆ burden of proof ಹಾಕುವುದು ನ್ಯಾಯಬದ್ಧವಾಗಿಯೂ ಕಾನೂನು ಬದ್ಧವಾಗಿಯೂ ಇದೆ. ಹೀಗೆ ಮಾಡುವುದರಿಂದ ತೊಂದರೆ ಕಡಮೆಯಾಗುತ್ತದೆ.

ಇನ್ನು 1948ನೆಯ ಇಸವಿಯಿಂದೀಚೆಗೆ ಏನಾಗಿದೆಯೆಂದರೆ, Communal lands ತೋಪು, ಕೆರೆ ಅಂಗಳ, ಸ್ಮಶಾನಗಳು, ಮಾರ್ಗಗಳು ಮುಂತಾದ ಒಟ್ಟು ಊರಿನ ಜನರ ಅನುಕೂಲಕ್ಕೆ ಬೇಕಾದ ಗೋಮಾಳ ಇವೆಲ್ಲವೂ ಹತ್ತು ಜನರಿಗೆ ಸೇರಿದವು, ಸರ್ಕಾರಕ್ಕೆ ಸೇರಿದವು ಎಂದಿದ್ದರೂ ಕೂಡ ಇನಾಮ್ದಾರರು ಇವುಗಳನ್ನು ತಾವೇ ಇಟ್ಟುಕೊಂಡಿದ್ದಾರೆ 1948ನೆಯ ಇಸವಿಯಿಂದೀಚೆಗೆ ಹೀಗೆ ಮಾಡಿದ್ದರೆ ಇದನ್ನು ರದ್ದು ಮಾಡತಕ್ಕ ಅವಕಾಶ ಕಾನೂನಿನಲ್ಲಿರಬೇಕು. Retrospective effect ಕೊಡುವುದು ಬಹಳ ಮುಖ್ಯ.

Sri H K VEERANNA GOWDH.—Have Deputy Commissioners permitted?

ಶ್ರೀ ಜಿ ಎ ತಿಮ್ಮಪ್ಪಗೌಡ.—ಸಾಮಾನ್ಯವಾಗಿ ಡೆಪ್ಯುಟಿ ಕಮಿಷನರು ಅವಕಾಶ ಮಾಡಿಲ್ಲ. ಅವರ ಗಮನಕ್ಕೆ ತರದೆ ಹೀಗೆ ಮಾಡಿರುವುದು ನನಗೆ ಗೊತ್ತಿದೆ. ಡೆಪ್ಯುಟಿ ಕಮಿಷನರ ಅಪ್ಪಣೆ ಪಡೆಯದೆ ಸಬ್ ರಿಜಿಸ್ಟ್ರಿ ಆಫೀಸಿನಲ್ಲಿ ರಿಜಿಸ್ಟರಾಗಿರುವುದು ಅನೇಕವಿವೆ. ಇದನ್ನೆಲ್ಲಾ ಬಗೆಹರಿಸಲು ನಿಖರವಾದ ಏರ್ಪಾಡನ್ನು ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಮಾಡಬೇಕಾಗಿದೆ. ಇಷ್ಟು ಹೇಳಿ, ಇನ್ನೊಂದು ಮಾತು ಹೇಳುತ್ತೇನೆ. ನಮ್ಮ ಮಿತ್ರರು ಕೆಲವರು ಹೇಳಿದ ಹಾಗೆ ಕ್ರಾಂತಿ ಕಾರಕವಾದ ಬದಲಾವಣೆ ಮಾಡಬೇಕಾದರೆ, ಇನ್ನೊಂದು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯನ್ನು ನೇಮಕ ಮಾಡಿ, ಅವರು ಯೋಚನೆ ಮಾಡಿ ಸಲಹೆ ಕೊಡಬೇಕಾದರೆ ಬಹಳ ತಡವಾಗುತ್ತದೆ. ಆದುದರಿಂದ ನಾನು ಸೂಚಿಸಿರುವ ಎರಡು ಮೂರು ಬದಲಾವಣೆಗಳನ್ನು ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಮಾಡಿ, ಇನ್ನು ಕೆಲವರು ಸೂಚಿಸಿರುವುದನ್ನೂ ಸೇರಿಸಿ, ಈ ಮಸೂದೆಯನ್ನೇ ಅಂಗೀಕಾರ ಮಾಡಬೇಕೆಂದು ಅರಿಕೆ ಮಾಡುತ್ತೇನೆ.

ಶ್ರೀ ಎಚ್. ಕೆ. ಸಿದ್ದಯ್ಯ (ಬೇಲೂರು—ಅನುಸೂಚಿತ ಜಾತಿಗಳು).—ಸ್ವಾಮಿ, ಸರ್ಕಾರದವರು ಸಭೆಯ ಮುಂದಿಟ್ಟಿರತಕ್ಕಂತ ಇನಾಮುಗಳನ್ನು ರದ್ದುಮಾಡುವ ಬಿಲ್ಲಿಗೆ ಸಂಬಂಧಿಸಿದ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯ ವರದಿಯನ್ನು ಅನುಮೋದಿಸುತ್ತಾ ಎರಡು ವಿಚಾರಗಳನ್ನು ಮಾತ್ರ ಸೂಚಿಸುತ್ತೇನೆ.

Sri J. MOHAMED IMAM.--Sir, Members may be asked to express the word inam correctly; otherwise, it looks like 'Imam abolition' 'Imam abolition.'

(*Loud laughter.*)

ಶ್ರೀ ಎಚ್. ಕೆ. ಸಿದ್ದಯ್ಯ—ಈ ಜೋಡಿ ಗ್ರಾಮಗಳ ಬಿಲ್ಲು ಬಹಳ ವರ್ಷಗಳಿಂದ ನಮ್ಮ ಮುಂದೆ ಬರುತ್ತಿದೆ. ಆದರೆ ಆ ಜೋಡಿಗ್ರಾಮಗಳ ಜೋಡೀದಾರರು ಅದಕ್ಕೆ ಸಹಾಯಕರು ; ಯಾವುದಾದರೂ ಒಂದು ರೀತಿಯಲ್ಲಿ ಅಡ್ಡಿ ಹಾಕುತ್ತಿದ್ದಾರೆ. ಈ ವಿಚಾರವನ್ನು ನಾವು ಅನೇಕಸಾರಿ ಈ ಸಭೆಯಲ್ಲೂ ಮತ್ತು ಮಾನ್ಯ ಮಂತ್ರಿಗಳಲ್ಲೂ ಹೇಳಿದ್ದೇವೆ. ಮಾನ್ಯ ಸದಸ್ಯರೆಲ್ಲರೂ ಕೂಡ ಈ ಸಭೆಯಲ್ಲಿ ಈ ಮಸೂದೆಗೆ ಬೇಕಾದಷ್ಟು ಬೆಂಬಲ ನೀಡಿದ್ದಾರೆ. ಈ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯ ವರದಿಯಲ್ಲಿ ಕೆಲವು ಲೋಪದೋಷಗಳಿರಬಹುದು. ಅವನ್ನು ಈಗಾಗಲೇ ಕೆಲವು ಮಾನ್ಯ ಸದಸ್ಯರು ಈ ಸಭೆಯಲ್ಲಿ ಹೇಳಿದ್ದಾರೆ; ಮಾನ್ಯ ಸದಸ್ಯರಲ್ಲಿ ಅನೇಕರು ಕೆಲವು ಲೋಪಗಳನ್ನು ಸೂಚಿಸಿದ್ದಾರೆ. ಈ ಲೋಪದೋಷಗಳನ್ನು ನಿವಾರಿಸಲು ತಕ್ಕ ತಿದ್ದುಪಡಿ ಮಾಡಿ ಈ ಮಸೂದೆಯಲ್ಲಿರುವ ಕುಂದುಕೊರತೆಗಳನ್ನು ತಪ್ಪಿಸಿ ಈಸಾರಿಯೇ ಈ ಮಸೂದೆಯನ್ನು ಈ ಸಭೆಯಲ್ಲಿ ಪಾಸ್ ಮಾಡಬೇಕು. ಏಕೆಂದರೆ ನಾಲ್ಕೈದು ವರ್ಷಗಳಿಂದ ಈ ಬಿಲ್ಲು ಚರ್ಚೆಯಾಗಿ ಹಿಂದಕ್ಕೆ ಹೋಗುತ್ತಿರುವಂತೆ ಈ ಸಲವೂ ಎಲ್ಲಿ ಅಂಗೀಕಾರವಾಗದೆ ನಿಲ್ಲುತ್ತದೆಯೋ ಎಂದು ನನಗೆ ಭಯವಾಗಿದೆ. ಮಾನ್ಯ ಸಚಿವರಾದರೋ ಇದರ ವಿಚಾರದಲ್ಲಿರುವರೇ ವಿನಾ ಮತ್ತೆ ಯಾವುದನ್ನೂ ತಲೆಗೆ ಹಚ್ಚಿಕೊಂಡಂತೆ ಕಾಣಲಿಲ್ಲ. ಅವರ ಉತ್ಸಾಹ

ನೋಡಿದರೆ ಖಂಡಿತವಾಗಿಯೂ ಈ ಬಿಲ್ಲು ಈ ಸಾರಿ ಪಾಸ್ ಆಗುತ್ತದೆ ಎಂದು ಕಾಣುತ್ತದೆ. ಜೋಡಿಗ್ರಾಮದ ರೈತರಿಗೆ ಜಾಗ್ರತೆ ಅನುಕೂಲ ದೊರೆಯುತ್ತದೆ ಎಂಬ ಆಶಯ ನನಗೆ ಬರುತ್ತಿದೆ. ಸರ್ಕಾರದವರು ಏನಾದರೂ ಮಾಡಿ ಈ ಬಿಲ್ಲನ್ನು ಮುಂದಕ್ಕೆ ತಳ್ಳಿ ಹಾಕದೆ ಈಗಿರುವ ಬಿಲ್ಲಿಗೆ ಏನೇನಾಗಬೇಕೋ ಅದನ್ನೆಲ್ಲಾ ಮಾಡಿ, ಕೈಕಾಲು, ರೆಕ್ಕೆ ಪುಕ್ಕ ಎಲ್ಲವನ್ನೂ ಬಲಪಡಿಸಿ, ಲೋಪದೋಷಗಳನ್ನು ನಿವಾರಿಸಿ ಆದಷ್ಟು ಜಾಗ್ರತೆ ಜೋಡಿಗ್ರಾಮದಲ್ಲಿರುವ ರೈತರಿಗೆ ಅನುಕೂಲ ದೊರೆಯುವಂತೆ ಮಾಡಬೇಕು. ಈಗಾಗಲೆ ನಮ್ಮ ಹಾಸನ ಜಿಲ್ಲೆಯ ಹಂದಿನ ಕೆರೆ ಜೋಡಿಗ್ರಾಮದ ಕೆಲವು ರೈತರಿಂದ ಜೋಡಿದಾರರು ಶ್ಯಾನುಭೋಗರು ಹತ್ತು ಸಾವಿರ ರೂಪಾಯಿಗಳನ್ನು ಕಿತ್ತುಕೊಂಡಿದ್ದಾರೆ. 50 ಸಾವಿರದ ವ್ಯವಹಾರದಲ್ಲಿ ಹತ್ತು ಸಾವಿರ ರೂಪಾಯಿಗಳಷ್ಟು ಡಿಪಾಜಿಟ್ ಆಗಿದೆ. ಡೆಪ್ಯುಟಿ ಕಮಿಷನರಿಂದ ಒಪ್ಪಿಗೆ ದೊರೆಯುವಷ್ಟರಲ್ಲೇ ಈ ಸಂಬಂಧವಾದ ವಾಗ್ದಾನ ನಡೆದಿತ್ತು. ಇದು ನಮ್ಮ ಲಾಯರಿಗೆ ಗೊತ್ತು. ಶ್ರೀ ಜಿ. ಎ. ತಿಮ್ಮಪ್ಪಗೌಡರು ಕೆಲವು ದಿವಸ ಈ ವ್ಯವಹಾರದಲ್ಲಿ ವಕಾಲತ್ತು ಸಹ ವಹಿಸಿಕೊಂಡು ರೈತರಿಗೆ ಇನಾಂ ಗ್ರಾಮಗಳು ಅಬಾಲಿಷ್ ಆಗುತ್ತವೆ, ಕ್ರಯಕ್ಕೆ ಪಡೆಯಬೇಡಿ ಎಂದು ಹೇಳಿದರು. ಕೆಲವರು ಅವರ ಮಾತಿನಂತೆ ಕೇಳದೆ ಜೋಡಿ ಶ್ಯಾನುಭೋಗರು ಹೇಳಿದಹಾಗೆ ನಡೆದುಕೊಂಡು ಹತ್ತು ಸಾವಿರ ರೂಪಾಯಿಗಳನ್ನು ಅವರು ಕಸು ಕೊಳ್ಳಲು ಅವಕಾಶ ಮಾಡಿದರು. ಇನ್ನೂ ಹೇಳುವುದಾದರೆ ಸ್ವಲ್ಪ ದಿವಸಗಳಲ್ಲೇ ರೈತರಿಗೆ ಇನ್ನೂ ಮೋಸವಾಗುತ್ತದೆ. ಇದನ್ನು ತಪ್ಪಿಸಲು ಮೊದಲು ಸರ್ಕಾರದವರು ಡಿಪ್ಯುಟಿ ಕಮಿಷನರಿಗೆ ನಾಳೆ ನಾಳಿದ್ದರಲ್ಲಿ ಈ ವಿಚಾರದ ಪತ್ರಗಳನ್ನು ರಿಜಿಸ್ಟರು ಮಾಡಕೂಡದೆಂದು ಇನ್ಸ್ಟ್ರಕ್ಷನ್ ಕೊಡಬೇಕು. ಮೂರು ತಿಂಗಳಲ್ಲಿ ಡೆಪ್ಯುಟಿ ಕಮೀಷನರು ಪರ್ಮಿಷನ್ ಕೊಡದಿದ್ದರೆ ಹತ್ತು ಸಾವಿರ ರೂಪಾಯಿಗಳನ್ನು ವಾಪಸು ಕೊಡುತ್ತೇವೆ ಎಂದು ಹೇಳಿದ್ದಾರಂತೆ. ಆದರೆ ರೈತರಿಗೆ ಈ ಹಣ ಸಿಕ್ಕುತ್ತದೆಯೋ, ಇಲ್ಲವೋ ಗೊತ್ತಿಲ್ಲ. ಈ ಬಿಲ್ಲು ಹಿಂದೆ ಚರ್ಚೆಯಾಗುವಾಗಲೇ ಜೋಡೀದಾರರು ಅನೇಕ ಕೆಲಸಗಳನ್ನು ಮಾಡಿದ್ದಾರೆ. ಇನ್ನೊಬ್ಬರಿಗೆ ಕೃಷಿ ಮಾಡಲು ಕೊಟ್ಟಿದ್ದ ಜಮೀನನ್ನು ಅವರು ಹಿಂದಿನಿಂದ ಹತ್ತು ವರ್ಷಗಳಕಾಲ ಸಾಗುವಳಿ ಮಾಡಿದ್ದರೂ ಸಹ ತಾವೇ ಸ್ವಂತವಾಗಿ ವ್ಯವಸಾಯ ಮಾಡಬೇಕು, ಜಮೀನನ್ನು ಬಿಡಿ ಎಂದು ಹೇಳಿ ಕಿರುಕುಳ ಕೊಟ್ಟು ಬಿಡಿಸಿಕೊಂಡಿದ್ದಾರೆ; ಬೇಕಾದಷ್ಟು ಸಂದರ್ಭಗಳಲ್ಲಿ ಈ ರೀತಿ ಆಗಿದೆ. ಆದ್ದರಿಂದ ಆದಷ್ಟು ಜಾಗ್ರತೆ ಈ ಬಿಲ್ಲನ್ನು ಎರಡು ಮೂರು ದಿವಸಗಳಲ್ಲಿ ಈ ಸಭೆಯಲ್ಲಿ ಪಾಸ್ ಮಾಡಿ ಈ ವರ್ಷವೇ ಅಂದರೆ 1954ನೆಯ ಇಸವಿ ಏಪ್ರಿಲ್, ಮೇ, ಜೂನ್ ತಿಂಗಳುಗಳಲ್ಲಿ ಜಾರಿಗೆ ಕೊಟ್ಟು, ರೈತರಿಗೆ ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಏನೇನು ಅನುಕೂಲ ಕಲ್ಪಿಸಿದ್ದೀರೋ ಅದೆಲ್ಲವೂ ಅವರಿಗೆ ದೊರೆಯುವಂತೆ ಮಾಡಬೇಕೆಂದು ಸರ್ಕಾರದಲ್ಲೂ, ಮಾನ್ಯ ಸಭಾ ಸದಸ್ಯರಲ್ಲೂ ಮತ್ತು ಅಧ್ಯಕ್ಷರಲ್ಲೂ ಪ್ರಾರ್ಥನೆಮಾಡಿ ನನ್ನ ಭಾಷಣವನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

Mr. SPEAKER.—The House will now rise for lunch and meet at 3-30.

The House adjourned for Lunch at Three of the Clock and reassembled at Thirty Minutes past Three of the Clock.

[Mr. SPEAKER in the Chair.]

Sri M. V. RAMA RAO (Tumkur).—Sir, when the motion was made that the Report of the Select Committee on this Bill be taken into consideration, I listened quite attentively to the Hon'ble the Minister for Revenue and it was not clear to me whether Government are in agreement with the Report of the Select Committee or have any mental reservations which they would like to put forward in the shape of official amendments to the Report of the Select Committee. When some Hon'ble Member pointed out that it was not clear whether Government were supporting the Report of the Select Committee or were opposed to it, there was an exchange, the effect of which appeared to me to be that the Hon'ble the Minister was not entirely in agreement with the Report of the Select Committee but had views of his own. I am sure that in presenting the Report......

Mr. SPEAKER.—But he made himself clear later on.

Sri M. V. RAMA RAO.—It could not be expected of the Minister that all the views were entirely his own and that he did not think differently on some points at least thought it was open to the Hon'ble Members of the Select Committee to come to a different conclusion on some of those points. Now I do not wish to make much of it, but, I do wish to say that some of the criticisms that have been made would entirely miss their point if it is categorically stated whether Government will have an open mind so far as any constructive suggestions are made with a view to take the edge out of some of the clauses which still seem to present certain difficulties as has been pointed out by various Hon'ble Members. When my friend, Sri Bheemappa Naik was speaking on this motion, he referred to the fact that the word 'inam' has been defined in a certain way and

(SRI M. V. RAMA RAO.)

the Select Committee Report makes it appear that a substantial variation of the definition so as to change the substance and content of it has been attempted by the Select Committee in their Report. When Sri Bheemappa Naik made that observation, my esteemed friend, the Hon'ble Member from Kolar interjected if I remember aright or at any rate gave me to understand that the expression 'inam' has not been in so many words defined in any legislative enactment. Now I shall refer to the Gundappa Gowda Committee Report—the Report of the Committee for the revision of the land revenue system in Mysore. There are two Reports really. One is an interim report which deals exclusively with inams and jahagirs. The main body of the report came in later and deals with land reforms pertaining to raiyatwari land. In this interim report which deals exclusively with inams—my friend, Sri Pattabhiraman is also a signatory to that report—we have the benefit of a very illuminating definition of what an inam is. On page 5 of that interim report, the word '*inam*' is defined as follows:

> "An Inam is a grant by Government for the personal benefit of an individual or individuals, or for religious, charitable or other purposes, or for services rendered to the State or to a village community. Lands so granted."

(I suppose the first sentence forms the *definition*. There are many more sentences in that small paragraph.)

> "Lands so granted are held free of assessment or subject to a jodi (light assessment) or quit-rent. According to the Land Revenue Code the term 'Inam' or 'alienation of land' means the assignment in favour of an individual or individuals or of a religious or charitable institution, wholly or partially, of the right of Government to levy land revenue. 'Khayamgutta' villages, *i.e.*, villages granted on a permanent assessment with a view to promote cultivation, have also been treated in the same manner as Inam villages since 1877."

The paragraph containing all that I have just now read out, numbered as 3 of the interim report is stated in a foot-note as being based on the information contained in the "Mysore Gazetteer" Volume 4, Pages 155-165. Now what turns upon this definition really is that to-day there is a disputation about whether an inam is a grant of land or whether an inam is a grant of the right to levy assessment or whether it is made up of both the right to levy asssessment as well as the right to cultivate the land. It should be obvious to those who are familiar with the Inam Settlement and the documents and papers which are available in the offices of the Government, it should be obvious to those who have seen those documents and papers that the grant is sometimes merely of a right to levy assessment and in other cases includes the right to cultivate the land oneself. It may have happened during the course of years that the grantees found it more convenient to let out the land to others whose business was to cultivate the land and contented themselves with levying an assessment on lands so cultivated by others and carried on their existence depending wholly upon such income just as Government carries on its administration by utilising the revenues derived by the exercise of its taxation powers. This did not, as I am sure the Government is aware and honourable Members are aware, preclude any grantee of an inam from cultivating the land or from having it cultivated by hired labour or as it sometimes may have happened from getting the land cultivated by a certain set of persons who originally were hired labourers but who, in the course of years, derived the status of tenant by a continuous tenure of occupation as cultivators of land, encouraged and assisted or in any case suffered by the original grantee of the inam land. Sir, no useful purpose today will be served

by trying to argue out the sanctity of the grant made in times past or by attacking the motives of those who honestly believe that intermediary rights in land should be finally done away with. The policy of the party which is responsible for the Government which is in office today so far as this land reform is concerned has been proclaimed from the house tops, for nearly half a century. The policy stated somewhat briefly, is to give the land to the cultivator and whatever prevents the cultivator of the land from becoming a registered occupant of the land must be removed. And that, in short, is the object of the Government and the party which supports the Government. It has been pointed out by certain honourable members and in particular by my esteemed friend Sri Mulka Govinda Reddy that the report of the Select Committee is really retrograde and is less progressive in its approach as well as in its operation than the original bill sponsored by the Government. I find myself in agreement with a certain part of that observation. It is easy to lay down some doctrine claiming to effect progress either in land reform or in social reform but in actually working out a reform, if the progress of the reform is going to be impeded by various circumstances incidental to the actual implementation of the legislative measure that is before us now, it is not reasonable to accuse the Government either of being retrograde in its approach or of not being sufficiently mindful of the land reforms that are due and long over due, as was said. What are the facts which relate to inam lands and the tenants and every class of cultivators of inam lands in the State of Mysore? It was stated by some honourable members and, as far as I remember, with a great amount of emphasis by my friend Sri Srinivasa Iyengar that no more statistics are available than what are contained in the report of the Committee for Revision of the Land Revenue System in Mysore and that the statistics contained there are not quite adequate. Sri Srinivasa Iyengar made a charge against the Government that nothing has been done by them to collect further statistics and to provide the necessary information for enabling members to examine these legislative proposals with all the facts and figures that members ought to have in coming to a decision on a matter of this far-reaching importance. Sir, it seems to me that, if one takes the trouble, the information can be had and a certain amount of industry will certainly repay those who are prepared to expend that industry on this very uninteresting process of legislation. The memorandum attached to the original Bill that was moved in the House gives certain total figures of the extent of land and the number of inams. It is stated there that the total extent of the inams for personal benefit is 3,37,943 acres; Kodagi and other such inams 8154 acres; and of the inams of artisans 23,180 acres. Sir, the Gundappa Gowda Committee report has certain additional information pertaining to inams and inam lands. On page 14 of the interim report, in paragraph 10, some, part of which has been read out by Sri Srinivasa Iyengar, it is stated: "the number of inams for personal benefit is mentioned as 30,475; the inams to artisans are mentioned as 4,291; Kodagi and other inams are mentioned as 1,719. The total extent has been mentioned in the financial memorandum regarding the acreage and I find that while the extent of land covered by Kodagi and other inams has been mentioned there, the actual number of inams has not been mentioned. I am dwelling on this point just to indicate that while the extent certainly is vast, the number of inams is not very large.

[Mr. DEPUTY SPEAKER in the Chair.]

The total would not probably exceed to 37,000 in respect of all the inams that would come under this present legislative proposal. It would be between 36,000 and 37,000. And we know from this same report that the total number of inam villages in Mysore as has been stated by the Inam Commission in their report of the year 1919-20 is only 2,098.

Now, out of this total of 36,000 or 37,000 total inams, if we sub-

(SRI M. V. RAMA RAO.)

tract the total number of inam villages, which may be roughly taken as 2,100—we are left with something like 34,000 odd cases of small inams, minor inams, in many cases less than even an acre in extent; and there may be cases where more than one such minor inam may be held by the same holder. What all this really comes to is that the total number of persons who may be described or characterised as holders of inams or as intermediaries or as those living on un-earned income or in whatever other manner we may choose to describe them, the total number of such persons is not so great as the total number of persons who have no land, who have not even land for them to cultivate on tenancy basis. It is therefore our duty as representing the people of this State to inform ourselves of the extent of land that is available for cultivation in the State, the extent of such land that has actually been under occupation, the extent of such occupied land which is not really being cultivated, the extent of cultivable land that is available for disposal with Government, and the number of persons who are cultivating-owners of their own lands, the number of persons who do not cultivate land at all but subsist on the income derived from such land, also the number of persons who are cultivating land belonging wholely or mainly to others and the number of persons who have to enagage themselves in tasks connected with land cultivation but have not an inch of ground which they can claim as their own or as coming within any tenancy of theirs. The figures should put all of us into an exceedingly serious and thoughtful mood.

Sir, I have spent some time in trying to inform myself about these facts and figures from such records and official publications as have been available to me. I find that there is a very interesting and useful publication which the Government of Mysore has issued in the year 1951 and which has been compiled from Census Tables and other relevant statistical material available to the Government of Mysore by the Commissioner for Economic Development and Planning in the State of Mysore—the publication entitled STATISTICAL ABSTRACT OF MYSORE FROM THE YEAR 1923-24 TO 1947-48. That publication gives much useful information bearing on these factors. I find from certain extracts which I have taken down from that publication that the agricultural economy of Mysore State is roughly as follows. The number of persons engaged in cultivation is stated for the year 1947-48 as being 16,22,118. Of this number, the number of persons who have subsidiary occupation is stated to be 68,562. That would leave 15·54 lakhs engaged in cultivation. Then there is the further sub-classification of the total number, non-cultivating owners of land taking rent in cash or in kind—the number of such persons is stated to be 16,963. And out of this number, the number with subsidiary occupation is 2,422. This would roughly leave a total or 15,000 persons who may be described as persons who do not cultivate their land but who depend wholely or mainly upon the income derived from land which they do not cultivate but which is cultivated for them by others. Sir, the number of cultivating owners including tenants is stated to be 13,02,412. Of this total, 30,849 persons are described as those who have subsidiary occupation. This would mean that 12,70,000 odd persons............

Sri A. BHEEMAPPA NAIK.—I wanr to know one point, Sir. Is it the number of families the Hon'ble Membet is mentioning or the number of persons actually? Would it be 16 lakhs multiplied by five or only 16 lakhs, I want to know.

Sri M.V. RAMA RAO.—Sir, the report from which I have taken these figures, the Statistical Abstract of Mysore State, mentions these figures as representing persons, not the number of families.

Then, Sir, the number of agricultural labourers who have no lands of their own either as owners or as tenants is given as 2,52,483 and of this large number......

Sri A. BHEEMAPPA NAIK.—This is completely a wrong statement; definitely a wrong statement.

Sri M. V. RAMA RAO.—Sir, I stand absolved of any error in quoting these figures because I find them in the official publication which is issued under the authority of the Government. It may be that the figures now vary and that larger totals may now be compiled from the Census of 1951.

Of this total number of 2,52,000 persons described as agricultural labourers, 29,614 are put down under the head of those who have subsidiary occupations. That would leave roughly 2¼ lakhs of persons who engage themselves in tasks connected with agriculture and who are neither cultivating owners of land nor tenant cultivators who have no land of their own. Sir, the Census of the year 1931 put down the total number of tenant-cultivators of land for the whole State as 75,345 persons. That total was made available to the Hon'ble Members of the Joint Select Committee by the Revenue Commissioner in Mysore. That figure represents the number of tenants for the entire State including the raiyatwari lands and the lands comprised in alienated villages and in minor inams.

4 P.M.

If we give a progressive increment to this total of 75 thousand and add during the two ten-year periods which have since elapsed, we should get a total of the order of roughly one lakh os persons who might be described af tenants who have no land whatever of their own. The difficulty in making these computations arises from the fact that cultivating owners of land and tenant cultivators, these two clauses, form a single overlapping class. A person who happens to own just one or two acres of land, finding it insufficient for him, may be cultivating other lands as a tenant. He would, therefore, come both under the classification of owner-cultivator as well as that of tenant-cultivator. Even making due allowances for these overlapping cases, it should still be obvious to us that the number of tenants, even if it is not as small as 75 thousand and odd persons—may be a lakh. It may even be 1½ lakhs, but it would not make much difference to the argument which I have been trying to found upon it. That is this. These 16,963 cases of non-cultivating owners, taking rent in cash or kind......

Sri Kadidal MANJAPPA.—What is the number please ?

Sri M. V. RAMA RAO.—16,963. This number, if it includes the holders of inams who derive an income without engaging themselves in cultivating the land, would leave......

Sri A. BHEEMAPPA NAIK.—If I were to interfere, I would like the Hon'ble Member to refer to page 278 of the report of the Land Revenue System in Mysore, where the number of holders of land who are paying *kandayam* is given. That itself will exceed 13 lakhs. That is what I am trying to point out to the Hon'ble Member. (*Interruption*). He has yielded, and I am pointing out to him that this may be the number of holders and not the families that live on agriculture. That is what I am just pointing out to him.

Sri M. V. RAMA RAO.—Sir, I am really obliged to my friend, Sri Bheemappa Naik for inviting my attention to page 278 of that report. In fact, I will make a reference to that and other similar statistical information at a somewhat later stage. It may be that what the compiler of the Statistical Abstract of Mysore had in mind was the number of holders. But what is stated in that book is the number of persons. Actually the heading is ' Population and Distribution of population among different Occupations Total Number so occupied. Those are the headings. Well, that ould not make much difference.

Sir, the information to which Sri Bheemappa Naik invited my attention contained in page 278 relates to the year 1944-45. It is a statement showing the number of holders classified according to the amount of revenue paid during 1944-45. I have those

(SRI M. V. RAMA RAO.)

figures also with me. I have certain additional information which I have gathered from the Tables contained in the Statistical Abstract which go beyond the year 1944-45.

(*Interruption*)

Sir, Table 102 in the Statistical Abstract puts the number of holdings and acreage covered by these holdings separately in categories of one acre and less, between 1 and 5 acres, between 5 and 10 acres, between 10 and 50 acres, between 50 and 100 acres, between 100 and 500 acres and over 500 acres. These figures are very informative. The total number of holdings of one acre and less in the year 1944-45 was 300,749 and the extent was 235,075 acres. These figures are useful and relevant because it is this class that is driven to becoming agricultural labour. In the next year, *i.e.*, in 1945-46, the number of such holdings of one acre and less increased a little. The total then was 3,05,782. The total extent was 2.6 and odd lakhs of acres. In 1946-47, the total number of holdings decreased to 2.62 lakhs and the extent and the acreage of such holdings also decreased to 2.4 lakhs. In 1947-48, the number of such holdings further declined to 2.59 lakhs and the acreage remained at 2.52 lakhs. The holdings of over 500 acres, which form the other extreme of this classification, remained practically stationary throughout the period. Holdings of over 500 acres which form the other extreme of this classification, remain practically, stationary. In 44-45 the number of holdings of over 500 acres was only 104 and it continued to remain 104 in 47-48, although there was a diminution of one or two in the intermidate years. For the year 1948-49 a little more up-to-date information had been made available to us by the Government in a small Hand-Book which is not, I suppose, really intended to furnish that information except incidentally. There is a small Hand-Book, Sir, supplied to members of this House by Government and it is described as "Adalithada Anki Amshagalu (ಅದಳಿತದ ಅಂಕಿ ಅಂಶಗಳು". The major part of that book is devoted to the names and residential addresses of all the members of the two Houses of Legislature and important officers and the Heads of Departments and to certain basic facts pertaining to Mysore State and its administration. In that book I find that the total extent of land comprising holdings under 5 acres is given as 20·61 lakhs acres. Sir, the classification that is contained in this report to which Sri Bheemappa Naik invited my attention refers to the holders and the land revenue paid. I found from a laborious computation of the total holdings and the total holders for the same year that the numbers would not tally. For the year 1944-45 the total number of holdings of agricultural land was 12.99 lakhs and the total number of holders was 13.4 lakhs. In the year 1945-46, the total number of holdings was 13.48 lakhs while the total number of holders increased to 13.77 lakhs. For the year 1946-47 the figures again came down. All this is publised official statistics and there is no jugglery there, I am sure. The total number of holdings was $12\frac{1}{2}$ lakhs and the total number of holders 12.58 lakhs. In the year 47-48, the total number of holdings was 12.49 lakhs while the total number of holders was 12.69 lakhs.

Sri A. BHEEMAPPA NAIK.—Holders multiplied by the number of persons, *i.e.*, $12 \times 5 = 60$ lakhs.

Sri M. V. RAMA RAO.—While the arithmetic of it is perfectly simple, the processes which I suppose are implicit in the compilation of official statistics, may be a little more complicated and I have no wish or desire to take any responsibility.

Mr. DEPUTY SPEAKER.— The Hon'ble Minister may take these figures and if there is any mistake, he may get it set right.

Sri Kadidal MANJAPPA.—Strictly speaking, these figures are not relevant to the Inam Abolition Bill. I have no objection to my friend giving them for the benefit of the House. But, they are not relevant to the Bill.

Mr. DEPUTY SPEAKER.— That apart, about the correctness of the statistics given by Government, I think you must take note of it. If there is any error in printing, you must set it right.

Sri Kadidal MANJAPPA.—So far as the number of acres of inam is concerned, the figure that is given in the memorandum is correct.

Sri M. V. RAMA RAO.—All that I should like to say with regard to these figures is merely this, that although my friend, the Revenue Minister has been pleased to observe... ..

Sri Kadidal MANJAPPA.—I have no objection.

Sri M. V. RAMA RAO.—It is certainly very good of him. Although he was pleased to observe that these figures are not relevant to the Inams Abolition Bill, I am sorry I cannot agree with him.

Mr. DEPUTY SPEAKER.—That is his opinion. I have not given my ruling on his observation.

Sri M. V. RAMA RAO.—What I am trying to point out is that it would not be correct for any of us to assume that enacting this Bill into law either in the form of the original Bill or in the form of the Report of the Select Committee or in a further modified or amended form, is not going to effect very far reaching changes in the agricultural economy of the State or to invest with a considerable measure of prosperity those who have next to nothing to-day. That is the point with reference to which these facts and figures would have, if I may say so, a considerable measure of relevancy. The acreage, the number of holdings, the number of holders, the total number of persons occupying land, all those figures will help the Government as well as this House to appreciate the actual extent of benefit that will be conferred upon those who are to-day tenant-cultivators of inam lands and who will hereafter, as a consequence and as a result of the enactment of this Bill into law, become holders of occupancy rights in the lands. Sir, the total number of tenants, as I was saying some time earlier, may be put down at twice the figure that was mentioned officially. It would still remain somewhere about a lakh and half. Let us put it at 2 lakhs. If this included only those who had no land of their own at all but were exclusively tenant-cultivators, then, seeing that not more than 1/8th of the entire extent of the agricultural land under cultivation at present is included in inam villages as well as in minor inams, not more than 25,000 persons can be said to be tenant-cultivators of inam land. If that is so, what is the number of persons who are to be benefited by the abolition of the inam tenure ? It would be a very inconsiderable number of persons whom the benefits of this legislation would reach. As I was stating earlier, there are more than 2½ lakhs of persons, even according to the compilation relating to 1947-48 which was based on the Census figures of 1941, who are agricultural labourers. If we have no reform which is calculated to put land in the hands of those who have none whether as owners or as tenants, then we can easily exaggerate the beneficient effects of this legislative measure which has a very restricted and limited application. This Bill will abolish inam tenure, will enable Government to make a redistribution of land which is under cultivation in inam villages among the various classes of tenants. The extent of land has been authoritatively mentioned in the Financial Memorandum appended to this Bill. The total is roughly 3.7 lakhs of acres. Re-distribution of this extent of land amongst as small a number as 25,000 or even 15,000 is not, as my friend Sri Mulka Govinda Reddy will point out, an adequate measure of land reform. All that this Bill seems to do is to take away the intermediary right of a few thousands of inam-holders and confer occupancy rights on the cultivators of lands in those inam estates. Even so, the number of persons actually benefited would not total up to a lakh. It was pointed out by several Hon'ble Members before that an exceedingly large

(SRI M. V. RAMA RAO.)

number of persons who have no lands—and who are tenant cultivators of land in inam villages are being deprived of the rights and benefits which are properly due to them. Under the prevailing system of Government and by the policies to which this Government is committed, all the benefits of the land reforms are not only due but long overdue. What is the extent of the problem that this relief really solves ? I should say a very inconsiderable part. That does not mean that I am either opposed to the measure or to the desire of the Government to do its best. What I am trying to point out is that all these limitations are bound to be there in a restricted measure of this kind. It was pointed out I think, if my memory serves me a right, by Sri Srinivasa Iyengar when he spoke earlier in the day, that out of 2,100 inam villages not more than 700 villages have had the benefit of survey and settlement. That information also is contained in this report and this observation was made by the Committee for the Revision of the Land Revenue System in Mysore in the year 1951. The necessary provision for introducing compulsory survey and settlement into all inam villages was made probably in the year 1935. Whatever may be the year, if it would take as much as 10 or 12 or 15 years to introduce survey and settlement into just 700 villages, it must take at least that amount of time or, with greater enthusiam and application, it must take at least some 5 or 8 years or 10 years perhaps to introduce such survey and settlement into the remaining 1,400 inam villages. I am not able to understand how it would be possible to forestall the introduction of survey and settlement and proceed to register occupancy rights for tenant cultivators of inam land according to some other scheme of measuring extents of land or fixing assessment. If survey and settlement have not been introduced into about 1,400 inam villages, it would be a very formidable task for revenue officers to proceed to implement the provisions which we have incorporated in the Bill and register the occupancy rights in favour of tenant-cultivators without determining, because of the absence of the introduction of survey and settlement, the extent of the holding claimed by the tenant as his own and disputed by the inamdar as being his or somebody else's, and the assessment paid to the inamdar for which, according to my friend Sri Linga Reddy, in most cases there is no receipt to show because of the unbusinesslike habits of the inamdar who collected assessment and gave no receipts. It would be to my mind an exceedingly complicated and difficult task which he shall be putting upon our revenue officers to accomplish. How are the holdings to be registered with regard to extent or assessment is a thing I have not been able to understand. Under the prevailing system, the inamdar or the jodidar who collects the rents in cash or kind probably describes the whole thing or the extent of the holdings according to *beejawari*, that is, the amount of seed that has to be sown. That I suppose is a rough computation of the extent of land comprised in a holding and the computation might differ from region to region and from epoch to epoch according to the phase of current civilisation. Is it our idea that occupancy rights in an inam land should be registered with reference to a holding the extent of which has not been determined by survey and the assessment on which has not been determined by settlement ? I am sure the intention of Government is that the extent of as well as the assessment on a holding should be actually determined by the introduction of survey and settlement.

4-30 P.M.

This with all the concomitant factors must take quite a few years of time. Therefore, while there is absolutely no reason why the passing of this legislation need be delayed, it is good for us to remember that even if the Act is passed during the present session, the beneficial effects of the legislation will take a few years to percolate

down to those who ought to benefit by this legislation. Even if the tenant who today cannot call the land his own is to be registered as an occupant of the land comprised in his holding, it will mean not merely a laborious process of disputation and litigation before the Deputy Commissioner or other officer who may be designated to perform these functions but it will also mean his having recourse to borrowing in order to find the money which he is required to pay for acquiring occupancy rights. It is exceedingly difficult for me to satisfy myself that the tenant has had as fair a deal at our hands as he ought to have. I find that in the original Bill as sponsored by the Government, in clause 5, provision was made for the payment of the premium by the permanent tenant for being registered as an occupant of the land, in instalments not exceeding five. Sir, I earnestly hope I have made no mistake in reading the Report of the Select Committee. But it does seem to me that Clause 5 of the Bill as reported by the Select Committee omits this provision, Clause 5 reads:

"Subject to the provisions of sub-section (2), every permanent tenant of the inamdar shall, with effect on and from the date of vesting, be entitled to be registered as an occupant in respect of all lands of which he was a permanent tenant immediately before the date of vesting."

Sub-clause (2) of clause 5 says:

"In addition to the annual land revenue payable in respect of the land, a permanent tenant entitled to be registered as an occupant under sub-section (1) shall be liable to pay to the Government, as premium for acquisition of ownership of that land, an amount equal to such number of multiples of the land revenue payable in respect of the land or such basic value per acre of the land, whichever is more, as is specified in columns 3 and 4 respectively of the Schedule as applicable to dry land, wet land and garden land, as the case may be, situated in the area specified in the corresponding entry in column 2 of the said Schedule."

The clause as it emerges from the Select Committee does not retain the original provision which enabled the permanent tenant to pay the premium in instalments not exceeding five. It is no doubt true that in the original clause what the permanent tenant would have had to pay was "50 per cent of the market value of the land determined in such manner as may be prescribed". That was the expression used. Sir, in the Schedule to which Clause 5 of the Bill as reported by the Select Committee makes a reference, the basic value in rupees per acre of land is put down in column 4 of the schedule. I am not able to understand what relation the figures put down as the "basic value" per acre bear to the "market value" of the land which was the expression used in the original clause 5. It is true that the Select Committee has worked out a very elaborate scheme of values both for the inamdar as well as, for the tenant. But in so far as the tenant is concerned, is it the argument that since he does not have to pay 50 per cent of the market value of the land as was originally proposed in the clause, but will pay only the basic value as put down in Schedule or the number of multiples of that land revenue, whichever is more, he need not be given the benefit of payment in instalments? It is true that the basic value in rupees per acre makes very dismal reading, at any rate from the point of view of those who will have to get that money by way of compensation, but, from the point of view of the tenant, I do consider that this will not make the payment of the premium any the less difficult for the tenant who has to make that payment in order to get the occupancy right. It will be seen that the multiples of the land revenue and the basic value per acre are put down in such a manner that what the tenant will actually have to pay would be a very considerable sum, in any case, in any

(SRI M. V. RAMA RAO.)

area. Just by way of illustration, I shall point out from the Schedule: In Bangalore District, for dry land, the number of multiples of land revenue in all the taluks is put down as 50. The basic value in rupees per acre is put down as Rs. 25. I am not able to say what the average land revenue in Bangalore District is for an acre of dry land. It may be Re. 1 or probably a little more.

Sri Kadidal MANJAPPA.—About 12 annas.

Sri M. V. RAMA RAO.—The average may be somewhere about a rupee per acre of dry land. If that is so, the amount of money that would be payable in respect of one acre of land would be Rs. 50, not Rs. 25 which is the basic value. If the holding of a tenant comprises 4 or 5 acres of land, the amount of money that he will have to pay for acquiring the occupancy right of that holding would be Rs. 200 or Rs. 250. I do not consider that the tenant with such a limited holding would be in a position to find Rs. 250 to pay, without being provided with instalments, the premium necessary to acquire the occupancy rights. I am not able to understand why it was not considered necessary to provide the system of recovery of the premium in instalments although the scheme of compensation and of computation of value has been "changed materially", as was observed by certain Hon'ble Members.

Then, Sir, the class of tenants who will benefit and the class of tenants whose rights will not be enlarged in sufficient measure to make them realise what it is they pay for, should also be examined. It is no doubt true that the expression "khas possession" which was found to be full of difficulties has been done away with in the Select Committee and some of my friends sitting on this side of the House accuse the Government on that score, accuse the Select Committee at any rate on the score, of having taken a step backward in taking away the expression "khas possession" in relation to the inamdar and that after having done away with the classification "quasi-permanent tenant", another new category which gave much delight and pleasure to some of the champions of the landless cultivating class. But what has happened is, that there is a large measure of generosity which has exceeded all bounds of what I should call basic justice in the enlarged definition of the expression 'permanent tenant'. It would be seen that in the new definition,—

> " 'permanent tenant' means a person who, either under section 79 of the Land Revenue Code or otherwise, is entitled to a tenancy in respect of any land used for agricultural pusposes, the duration of which is co-extensive with the duration of the tenure of the inamdar, and includes a person who has been in continuous possession of any land used for agricultural purposes in an inam by cultivating such land thereon himself with his own stock or by his hired servants or by hired labour or with hired stock on payment of rent to the inamdar for a period not less than twelve years prior to the date of vesting."

This definition of the permanent tenant, as I happen to know, was made in order to effect some manner of compromise between two conflicting views which were continuously and laboriously expounded during the sittings of the Joint Select Committee. On the one hand it was being felt that the definition of premanent tenant should be retained in the form in which it is contained in Section 79 of the Land Revenue Code. On the other hand it was also being felt that it should be so enlarged as to include those who cannot claim to be permanent tenants within the meaning of section 79 of the Land Revenue Code. It was argued that section 79 of the Land Revenue Code merely enables a court to raise a presumption and sets out the various circumstances in which a presumption of permanent tenancy may be raised in

dealing with a tenant. What it would be very important to remember is that this present definition of permanent tenant was itself introduced into the Land Revenue Code by an amending Act in 1928 as stated on page 16 of the Interim Report of the Gundappa Gowda Committee. A new paragraph was added to Section 79 of the Land Revenue Code to the effect that presumption of permanent tenancy shall be raised in certain circumstances. Four different sets of circumstances are mentioned there and the fourth provides that such a presumption shall be raised where in the absence of contract regarding the nature or duration of the tenancy, the tenant has established that he has been in continuous possession on payment of fixed rent for a period of twenty years or more. That was how the section was originally amended. A few years later, this period of 20 years was reduced to a period of twelve years and it was laid down that a continuous tenancy during a period of twelve years on payment of a fixed rent should be sufficient to entitle a tenant to claim that he was a permanent tenant.

Sri Kadidal MANJAPPA.—Subject to the condition of antiquity and other things.

Sri M. V. RAMA RAO.—Subject to the condition that the origin of the tenancy could not be properly determined and subject......

Sri G. A. THIMMAPPA GOWDA.—Apart from other conditions.

Sri M. V. RAMA RAO.—If the Hon'ble Minister has a copy of the Land Revenue Code, I should be grateful for passing it on to me.

Sri Kadidal MANJAPPA.—With the permission of the Hon'ble Speaker, I will read out the relevant portion of this section.

"Duration of tenancy.—

And where, by reason of the antiquity of a tenancy, no satisfactory evidence of its commencement is forthcoming, and there is not any such evidence of the period of its intended duration, if any, agreed upon between the landlord and tenant, or those under whom they respectively claim title, or any usage of the locality as to duration of such tenancy, it shall, as against the immediate landlord of the tenant, be presumed to be co-extensive with the duration of the tenure of such landlord and of those who derive title under him."

"In the following cases, such a presumption shall be raised."

Sri M. V. RAMA RAO.—Can I have the book, Sir? Not that I doubt what has been read out, but I want to supplement my own information. (*Laughter.*) What I wish to say is that there are numerous cases in which such a presumption ought to be properly raised. The basic foundation which determines the permanancy of a permanent tenure is the payment of a fixed rent. We know that a permanent rent may be fixed either in cash or in kind or in both and those who are familiar with the incidents of these alienated villages certainly know that in a large number of cases the permanent tenant pays only a cash rent just like the khadim tenant and in a considerable number of cases the dividing line between the khadim tenant and the permanent tenant is extremely thin so that it would be very difficult to know the differentiating factor between khadim tenancy and permanent tenancy although Sections 84 and 79 of the Land Revenue code attempt to lay down the distinction. In practice where a permanent tenant does not pay rent in kind or in cash and kind but pays only a cash rent which is fixed and has been paying it for a long number of years, what is the distinction between that permanent tenant and the khadim tenant? Almost nothing, except that the khadim tenant might have been paying 14 annas assessment and the permanent tenant might have been paying 1-10-0 or 1-8-0 cash rent or 16 seers or 32 seers of ragi or some other crop as fixed rent in kind. What I am saying is that while we have enlarged this definition of permanent tenant, those who were permanent tenants within the meaning of Section 79 of the Land Revenue Code would not derive any substantial

(SRI M. V. RAMA RAO.)

benefit by a conferment of occupancy right in the land which they already hold as permanent tenants. The permanent tenant and the khadim tenant are practically the occupants of the lands comprised in their holdings subject only to the payment of rent which in the case of the khadim tenant would be called as sessment. His right to deal with the land as an occupant of the land has been there. I can assure the Hon'ble the Revenue Minister that these permanent tenants do not form an inconsiderable number; they form certainly a considerable number, all the tenants taken as a whole. . . .

Sri Kadidal MANJAPPA.—But our friend Sri Linga Reddy differs !

Sri M. V. RAMA RAO.—That is because, Sir, there are no reliable official statistics available to him and to me. He differs because you are not able to establish anything to the contrary. (*Laughter.*) And, in fact, earlier in the day, I was having a short discussion with Sri Linga Reddy about these permanent tenants. As he was telling me, subject of course to confirmation or contradiction by Sri Pattabhiraman whose views on inam tenure tenants in Kolar district ought to be received with the utmost consideration because he knows more than I can claim to know about them, particularly in the inam villages of Kolar district there are very few permanent tenants or khadim tenants and the majority of tenants are tenants-at-will.

5 P.M.

Sri H. C. LINGA REDDY.—There are no kadim tenants or permanent tenants. There is no *dakhala* to show that there are permanent tenants or kadim tenants. That is what I was saying.

Sri M. V. RAMA RAO.—It would not make any difference at all. If a person happens to be a permanent tenant really but has nothing to prove it with, we would not be putting him in any better position; and if a person who is not a permanent tenant has something to prove that he is a permanent, tenant, he would be in a better position than the genuine permanent tenant. The difficulty in dealing with this matter has been that those of us who are on the same side of the business of legislation have not understood each other adequately, that is the difficulty. I suppose it is not the object of this House that tenants should be given any advantages at the expense of others not liable to be deprived of any rights. After all, we are dealing with different sections of the population in this legislative measure for achieving a specific object and in achieving the specific object, if the benefit reaches only some and if those who had very nearly the same benefit already are mulcted with the payment of a premium which they need not have paid under the prevailing system although they continued to enjoy the benefits which are supposed specially to be conferred upon them, where is the justice ? A permanent tenant who paid a cash rent, a fixed rent and who was virtually the occupant of the land of which he was a permanent tenant would to-day under this Bill have to pay a premium for acquiring the occupancy right in respect of the land, of either the basic value of the land as put down in the schedule or the number of multiples of the land revenue as put down in the schedule. What I am saying is that he could have remained an occupant of the land even without paying any premium. This does not put him in any better position. Therefore it is not wrong to point out, as some Hon'ble Members have pointed out, that the definition of permanent tenant should be limited to cases of tenants who pay a fixed rent and the duration of whose tenure as tenant has been 2 years or more, has not been less than 12 years in any case. What has happened is, we have passed some years ago an enactment which prevents the eviction of tenants from the holdings. The continuity of tenure was ensured to tenants of inam lands by the Legislature.........

Sri Mulka GOVINDA REDDY.—It is already 5 o'clock. Sri Rama Rao may

continue his speech tomorrow because we have got some other meeting.

Mr. DEPUTY SPEAKER.—Do you require some more time ?

Sri M. V. RAMA RAO.—I will take a litte more time.

Mr. DEPUTY SPEAKER.—Then tomorrow you can continue.

The House is now adjourned and will meet tomorrow at 12 O'Clock.

The House adjourned at Two Minutes past Five of the Clock to meet again at Twelve of the Clock on Friday, the 5th March 1954.

WD 1581—GPB—550—9-3-1954